

said it is a concerted effort. They've always worked with law enforcement and does not recall 100% ever happening in his 28+ years here.

- 2.4 Presentation of Finance Awards** Requested Action: No action is requested.
Cindy Rollins filled in for Finance Manager Julie Vogel. This year, the City of Bloomington has received three awards from GFOA: The Certificate of Achievement in Excellence in Financial Reporting for the 44th year; The Distinguished Budget Presentation Award for the 20th year; and Award for Outstanding Achievement in Popular Annual Financial Reporting for the 15th year.
- These awards serve as an example to other cities. Presented the awards to City of Bloomington staff.
- 3 CONSENT BUSINESS**
- 3.1 Roncor Construction; Variance; 4632 Oxborough Lane** Requested Action: In Case 10979A-15, adopt a resolution approving a variance to reduce the side yard setback from 5 feet to 3.4 feet for a garage addition at 4632 Oxborough Lane, subject to the conditions noted in the staff report.
- Motion by Councilmember Carlson to approve 3.1, 3.2, and 3.4 - 3.10.
Note on 3.9 for the January 4th meeting minutes being revised, notes supplied to City Council prior to tonight's meeting.
Seconded by Councilmember Baloga to approve.
Motion carried 7-0.
- 3.2 Hunt Electric; CUP Variance; 7900 Chicago** Requested Action: In Case 6052C-15, the Hearing Examiner and staff recommend adoption of a resolution approving variances to reduce the setback from the planned widened right-of-way from 20 feet to zero feet for two directional signs and from 20 feet to 8 feet to replace an existing freestanding sign at 7900 Chicago Avenue subject to the conditions listed in the staff report.
- 3.3 2016 Planning Commission Work Plan Approve** Requested Action: Approve the 2016 Planning Commission Work Program. Staff and the Planning Commission recommend approval.
- Item 3.3 held by Councilmember Oleson. This item refers to 2016 Planning Commission Work Plan and requests Council approve it. Lots of work has been done in South Loop and in the surrounding areas.
- Motion by Councilmember Oleson.
Seconded by Councilmember Lowman to approve.
Motion carried 7-0.
- 3.4 2016 Local Public Health Services Agreement with City of Richfield** Requested Action: Approve the 2016 Local Public Health Services Agreement with the City of Richfield.
- 3.5 Approve Normandale Blvd. Easements Adopt Resolution** Requested Action: Staff recommends adoption of the resolution granting easements to Hennepin County for the Normandale Blvd Reconstruction Project.
- 3.6 MDH Lead Assessment Agreement** Requested Action: Move to approve and sign the five year agreement with the Minnesota Department of Health under which the State will perform assessment, testing and reporting of lead in Bloomington dwelling units associated with an elevated blood lead level with no charge to the City.
- 3.7 Replacement Police** Requested Action: Approve the purchase of eight 2016 Ford Interceptors

- Vehicles - Approve Purchase** from Nelson Auto Center under State of Minnesota Contract #83065 for a total of \$214,498.60.
- 3.8 2016 Pay Equity Report** Requested Action: The Council is asked to approve the attached Pay Equity Compliance Report and authorize the appropriate staff to submit it to the State of Minnesota.
- 3.9 Meeting Minutes City Council-Approval** Requested Action: Approve the following City Council Meeting minutes: September 21 (Study), December 21 (Regular), and January 4 (Regular) as presented.
- Held by Councilmember Abrams for a revision to Item 3.9 on January 4, 2016, City Council Regular Meeting minutes.
- 3.10 City Council-Approve Travel Expenses** Requested Action: Approve the out-of-state travel expenses listed above for Council members Tim Busse and Dwayne Lowman who will be attending the 2016 Congressional City Conference in Washington, D.C. from March 5-9, 2016.
- 4 PUBLIC COMMENT PERIOD**
- 4.1 Response to Prior Meeting's Public Comments** Requested Action: City Manager Jamie Verbrugge mentioned two speakers from the last meeting. Regarding Sally Ness' inquiries, there are no new issues that warrant new responses. Regarding Joel Jennissen, no follow-up is required.
- 4.2 Public Comment** Requested Action: Speaker #1: Sally Ness, 8127 Oakland Ave. So. Presented newspaper article regarding someone dying from a peanut allergy. She tied this onto someone getting blocked in at Smith Park and referenced City's parking code. She restated the double parking issue at Smith Park and said there is no officer onsite. An allergy could happen instantly and if someone can't leave Smith Park because someone is double parked at AFYFC is dangerous. She asked the City to assist the patrons of the Park to have AFYFC provide a parking attendance to prevent double-parking. Mayor Winstead said this will be taken in as double-parking as the issue.
- Ness referenced the possibility of a new community center in Bloomington. Mayor Winstead said there has been no determination on a new community center. Ness said plans were drafted in 2011 and that was her money being spent on this.
- Ness mentioned the Smith Park Pond: She showed surface area is 28% not 11% and questioned the parking lot in front of AFYFC. Showed an aerial of AFYFC. Said the City lost a lot of Smith Park because of the parking lot constructed at AFYFC. She talked about the berm AFYFC put in which affected the proposed drainage from the site. Said the berm is located where the holding pond is supposed to be located and the berm is full of concrete. Mayor Winstead said there will be a response given.
- 5 LICENSING DIVISION: PUBLIC HEARINGS**
- 5.1 Rental License Denial Appeal** Requested Action: Council grant rental licenses to Craig Rheaume of Compass Rose Real Estate LLC and North By Northwest Properties for three townhome dwellings at 8402, 8414 and 8422 22nd Avenue South, Bloomington. Conditions of licensure include leasing to no more than four unrelated individuals per dwelling unit and notifying the City's Environmental

Health Division in writing of each change in the lease and tenant register. Council should also consider directing staff to research regulations specific to this type of transient lodging.

Environmental Health Manager Lynn Moore explained the history of this application for three townhomes: 8402, 8414 and 8422 22nd Ave. South. Council referred the item to the MN Office of Administrative Hearings to Findings of Fact. The hearing was held November 2 and as part of this process, the judge made a recommendation with specific conditions.

Mayor Winstead said it is just a recommendation to grant the licensing from the Administrative Law Judge (ALJ). City Attorney Sandra Johnson stated that Council has the authority to go with or against the recommendation. There was a hearing and the basis of the Council action is on the Findings of Fact (FOF). You can look at the record and can come to a different conclusion from ALJ.

Mayor Winstead asked if this type of use would be subject to a hotel tax. He looked at the FOF and recommendation and has a different opinion than the Judge.

City Attorney Johnson said licensing is a privilege and not a right. New rules would apply to this and would not be grandfathered in. Could allow a 30-day period for the expiration of those leases to not create an automatic breach. Effective date of ordinance is upon publication but could delay effectiveness of the ordinance for 30 days. City staff identified three things for use from reoccurring:

- 1) Look at this use around the country and how it is addressed in other cities;
- 2) Step up enforcement - no more than 4 people have legal rights of occupancy during that time period;
- 3) Work with the owners and look at the conditions that are imposed on the license. Show us the four leases, notify us of changes. Each separate bedding was considered a different renter by the City.

Mayor Winstead said even though there is a 30-day lease on a bed, it takes on the form of hotel lodging. If using the 30-day lease to circumvent a lodging fee, it needs to define that is not appropriate and would be subject to a hotel tax. It should not be allowed in residential neighborhoods in the City of Bloomington.

Councilmember Baloga does not support the granting of the license.

Councilmember Abrams suggested working closely with Richfield and Minneapolis going forward so there isn't differentiation across the city borders.

Councilmember Busses agreed with Councilmember Baloga. It wasn't on the radar. This Code was written before crash pads became commonplace. Suggested closing the loophole and using the ALJ's suggestions and step up enforcement. The goal is not to put these people out of business, but there are rules that need to be upheld.

Councilmember Oleson asked if Council is to make this decision tonight. City Attorney Johnson recommended that Council make their decision based on the ALJ's findings. Look at the documents the ALJ received, which can be provided to Council.

Mayor Winstead said this is a hearing of a rental license denial appeal. The Judge said the license should be granted the way the City Code is written. If

we were to grant the license but we strengthen our Code and implement it, could this license then be rejected or pulled or would they be grandfathered going forward to keep operating the way they are.

Councilmember Oleson visited two of the three buildings. What he saw did not seem to be a problem. Disappointed this didn't get aired out in a better way and does not support it. Recommended staff look at best practices going forward. It's a good idea to collaborate with other communities in the area. The way this has evolved, he can't support the applicant's desire.

Councilmember Baloga said the operator of this rental property has known of the City Code and has continually violated it. If there was a license there would be sufficient evidence to revoke it. History is usually an indication of what the future will be. He supports neighborhoods and the housing standards we do have.

Motion by Councilmember Baloga.

Second to continue to a future agenda as appropriate to uphold the denial of the license.

City Attorney Johnson said next Monday is the next mtg. Licensing is a privilege and not a right. If that is one of the fact the Council will base the denial on. There needs to be a sufficient record for denial.

Councilmember Baloga suggested moving this to the February 22 meeting.

City Attorney Johnson said the applicant and his attorney are present.

Attorney Rick Glassman and the applicant Craig Rheume came forward. Glassman said the Judge's recommendation was that they have complied to this ordinance and are entitled to this license. Said the applicant wanted to work with the City. Explained the history of this case from the applicant's point of view and explained the applicant's business model.

Mayor Winstead said there are more beds than leases in the units. Since that's the way it operated before and unless there is constant enforcement, Council will work through the Code and define that what is being done is not within Code. Council may grant the license now, but will work on an ordinance that makes this non-code compliant. The ALJ recommended it by the letter of the law. Council will look at the law.

Councilmember Lowman agreed with Mayor Winstead regarding the safety issues. The FOF, he comes to the same conclusion as the ALJ but the City needs to change its Code so this isn't permissible in a residential zone. Asked if there is something that can be done before Staff comes back with a Code change. The evidence is there about what they've done in the past and the Code needs to change. From a facts standpoint, he agrees with the ALJ.

Mayor Winstead said if Council wants to uphold the denial, it should direct staff to bring back a resolution of denial. If approved, the Code will need to be amended. They would have to cease upon reasonable notice if the Code gets changed.

City Attorney Johnson said if the fix is an amendment to the zoning code, Staff will have to research. Might have an argument that this is non-conforming against current state law.

Councilmember Carlson said ALJ's FOF were complete and wants to see some changes made to the Code but that work will take several months to

complete. Carlson said he is having a hard time finding a reason for denial.

Motion by Councilmember Baloga.

Seconded by Councilmember Lowman to defer to a the February 22nd meeting to allow Councilmembers to make a determination. If significant FOF that a resolution of denial can be based upon, it would allow time for research regarding grandfathering. He wants to take the ultimate conservative approach. Until then, he can't support the granting of the license

City Attorney Johnson: Giving Council guidance on the implications to granting this license at this time. It is directing us to what changes to City Code must be made. If they are zoning changes, there might be larger implications.

Motion carried 7-0.

Councilmember Oleson asked if staff will be looking at best practices regarding the Code. City Attorney Johnson confirmed this would be looked into. If the fix is an amendment to the zoning code, the decision must be made. There is risk of the state law protecting non-conforming uses.

8:12 pm closed public comment period.

**6 DEVELOPMENT
BUSINESS: PUBLIC
HEARINGS**

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

**7.1 Adopt Resolution Order
Improvements WB On-
ramp I-494 at EBLR**

Requested Action: Staff recommends:

- Approving the enclosed feasibility report; and
- Adopting a resolution to order 2015-201 westbound on-ramp to I-494 at East Bush Lake Road.

Karl Keel provided background on this project.

Westbound on-ramp to 494 at East Bush Lake Road. This project provides a new westbound ramp to 494, effectively doing the same thing with regard to Normandale Lakes as the 84th & Normandale project but at a much lower cost. Explained an inverted loop to 494. Goes over the freeway and then under the railroad bridge. This is a creative solution to a long-standing problem. Cost is approximately \$24 million, and is to be funded by Federal and State grants along with money from Hennepin County. Construction to start early 2017 and will take a year to complete.

Councilmember Baloga said this was one of the regional projects and a high priority for legislative delegation. It is one of four that has come to fruition early on. He thanked all the Public Works people who worked on this. It is an innovative approach that will benefit Edina and Bloomington residents.

Motion by Councilmember Baloga.

Seconded by Councilmember Abrams to adopt Resolution.

No public testimony.

Motion carried 7-0.

8 ORDINANCES: PUBLIC HEARINGS

8.1 Vacation Easements Public Drainage and Utility Easement 9044 West Bush Lake Road

Requested Action: Vacation of a public drainage and utility easement located at 9044 West Bush Lake Road (Lot 19, FRISSEL'S LAKE SHORE ADDITION, Hennepin County, Minnesota, together with the adjoining ½ of vacated Yukon and Summit Avenues) is recommended with adoption of an ordinance approving the vacation of the public easement.

Motion by Councilmember Abrams.
Seconded by Councilmember Busse to approve.
Motion carried 7-0.

9 OTHER: PUBLIC HEARINGS

9.1 Mn River Valley Strategic Plan

Requested Action: Staff recommends the following motion:

In Case 10001A-13, move to adopt a resolution approving the *Minnesota River Valley Strategic Plan* as attached to the staff report.

Councilmember Baloga suggested Council recess so the high school students can get their agendas signed off.

Community Development Senior Planner Julie Farnham mentioned the handout of last minute emails. Explained the Minnesota River Valley Strategic Plan and provided an overview of plan.
Engagement Process: Community open houses were held in 2015. There were two online surveys. Maintained a project website where people could make comments. There have been stakeholder meetings with agencies and user groups. Explained the vision and goals, challenges and opportunities. Primary goal has been working with other groups in creating a seamless experience. Primary owners are US Fish and Wildlife Service (USFWS) and the City. Resources will continue to be limited. There have been great partnerships with other organizations and groups.

Farnham explained the Implementation Plan top priorities and ongoing activities. Staff is exploring a Regional Park Preserve designation. Explained the project timeline – the Project Priority and Sequence being a 2.5 year process. Costs/Budget of \$95,000 identified in consultant fees.

Farnham said next steps are public hearings. Planning Commission and PARC recommend approval of this plan. HRC made a recommendation to support the plan with a caveat that they be involved in future decisions regarding trail.

State Trail project was authorized in 1969. DNR needs \$3 million more to complete this process. DNR proposes a dual track design. The plan is to remove as little vegetation as possible. Explained the design details.

DNR is working on their 60% plans and to have them done early this year. Construction to begin in 2017 and wrap up in 2018 or 2019.

City's Review of State Trail: Council adopted a resolution of support of the DNR's Trail. Next step is to enter into a Joint Powers Cooperative Agreement after the 60% plans are done. This will grant the DNR access to build on the City's land. This plan acknowledges the DNR's State Trail and the City's past support for the dual trail. Council action tonight does not have any affect on the proposed State Trail.

Recommended Resolution to approve the MRVSP.

Mayor Winstead said the plan says it will be good to have the implementation of a dual trail. Council is reviewing the strategic plan. Tonight's action is separate from the State Plan. Mayor Winstead asked for testimony from Bloomington residents and said that if testimony is regarding the State Trail, it's not useful tonight for the decision to be made for the strategic plan. You can state your opinion on the DNR's State Trail.

Motion by Councilmember Busse.
Seconded by Councilmember Abrams to adopt a resolution as presented by staff.

Speaker #1: Robert Erickson
Has been a Bloomington residents for 35 years and member of the Port Authority. He strongly supports the recommendation from the Planning Commission and he supports the dual trail plan. Supports the strategic plan.

Speaker #2: Karen Shragg 11307 Rich Circle
Does not support the strategic plan as someone who lives close to the trail. Having a paved trail in a flood plain is a mistake. Climate change will include a lot of flooding. The possibility of a paved trail doesn't have a lot of foresight. It would be expensive and toxic to put the asphalt into that type of environment.

Speaker #3: Evan Newton, 9833 Beard Avenue
His kids use the trail. Need to have access for rollerblading. They have access from USFWS to hunt turkey. They want to keep that access. He supports the strategic plan.

Speaker #4: Mike Gilliland, 9901 Dellridge Road
Lives along the trail system. Is opposed to the plan because it is not clear who will maintain the trail. He asked what role will the City play in this trail.

Mayor Winstead responded saying the strategic plan calls for the implementation of trails down there. One paved and one could be natural. The City will have insight into the planning and design but ultimately the DNR will build it, fund, and maintain. The City will partake in the trailheads.

Speaker #5: John Schatzlein, 10933 Johnson Avenue
Loves the river. Said there are parents wanting to take their kids in strollers on the trail. People with functional limitations would like access. He supports the dual trail. Disregard all of the myths regarding how wide it will be, how junky it will be, and how many trees will be removed. He supports the plan along with whatever can be done to make the asphalt part blend in well.

Speaker #6: Patrick Parrish, 11016 Stanley Curve
Lives and works in the area. Runs and cycles on the trail. It seems the majority of the input has been in opposition but yet it's moving forward. Regarding the strategic plan, it acknowledges the input but it says we're going through with a balanced approach. He doesn't think balance is being achieved in the plan. Concerned that the DNR has not been able to afford maintenance of their own trails. He asked the Council to take a deeper look into the financial obligations the City will be getting into and if the DNR is capable of supporting. He strongly opposes the trail. Encouraged taking a better look at the agreements with the DNR.

Speaker #7: Dennis Porter 10409 Nicollet Circle
Represented the mountain bike community in this debate. The original legislation called for a state trail but not a surface trail. Their position on this trail is a well-maintained natural trail with ADA access points. They're already paved and accessible. He said the 13 miles of trail will get flooded. His concern is if the DNR can't fix the trail will the City of Bloomington be on the hook. He said the plan doesn't reflect the petitions. He said the public needs to be acknowledged in this strategic plan. More access is great but doesn't feel this trail plan is done at this time. The City can acknowledge the users down there. He mentioned there is no user study. Asked how the City make a decision regarding who, what and why on the trail. He doesn't see the plan as a completed document. We don't know where the USFWS stands on these issues. There are a lot of unanswered questions before this should move forward.

Speaker #8: Amy Steigauf, 8251 Oregon Road
Is an avid runner, hiker, and dog walker and enjoys the natural trails. It's comfort for her joints. It's a wonderful, pristine area. She hears reports the DNR is \$130 million behind on its maintenance in Minnesota. She doesn't want the residents end up absorbing the cost. If the DNR is that far behind already, how do we think this trail will be given priority.

Speaker #9: Larry Grainger, 10817 Johnson Avenue
54 year resident of Bloomington, President of the BHS since 1964 when it was created. He's been involved in trail development with a number of Minnesota cities. The plan will be to integrate the full 13 miles of the valley with the unified resource plan with the landowners, and to allow people to go back to where Bloomington began. Many historians have been waiting to have the ability to get as many people down to the river as possible for recreation and education. If we can have a trail for many abilities, they can educate people. This process will bond people closer to the community. We need to accentuate the fact that we're located on the MN River. The plan leads to an eventual collaborative plan overall. The MOU will be the master plan on how to achieve a seamless experience. The paved trail is needed to do this. Getting people down there and educating and bonding to the river and the river valley. As you look at this combination area down at the river, people need to come to the valley. The dual trail system is a good one. Look at the partners in other cities along the river.

Speaker #10: John Gibbs, 9533 Virginia Avenue South
Three Rivers Parks Commissioner that supports the strategic plan process for the river valley. He also has experience in trail development. Suggested 'right trails in the right places.' There are right and wrong places for certain trails. Need to engage on the actual alignment and actual surfaces. We should not displace someone else when something new is developed. He urged Council to give input that the paved users don't displace some of the other users. An important consideration regarding disability opportunities is what will get well used. He talked about a paved trail that is ADA accessible from Bloomington Ferry all the way to Shakopee. Try to respect the balance with nature while proving accessibility. Paving a 13-mile trail doesn't make complete sense. Maintenance costs will be extraordinarily expensive to maintain. In a normal environment, they estimate the actual pavement maintenance will cost \$1,00 per year per mile on just the paving maintenance. None of that is in the strategic plan. DNR estimated \$700 – \$1,000 per mile. The numbers being provided are not realistic. DNR is already \$130 million behind in deferred maintenance costs.

Councilmember Baloga gave a shout out for the Three Rivers Hyland ski area regarding the lighting as part of the redevelopment. The calls he's received have been exceptionally favorable.

Speaker #11: Josh Leonard 405 E. 104th Street

There was a resolution of support passed for the DNR to do a dual trail plan. There's been a change to the Legislation that states the trail on the north side of the MN River must be a paved trail. The DNR is on the hook to put in a paved trail. He supports the plan and the signage, but caution to the trail. He said it sounded like it had to be paved only.

Speaker #12: Susan VanBaerle 10045 Moundspring Terrace

Uses the trail frequently. With maintenance of the area between Long Meadow Lake and the houses, the oaks are coming down, Elm trees are dying, Buckthorne is taking over. Asked if any money has been set aside to maintain that. Mayor Winstead said he hasn't seen that specifically addressed in the Plan.

VanBaerle said regarding flooding, her friends live along Silver Creek. There is a lot more flooding due to filling fields. They see a lot of flooding and said the flooding will get worse as the tiling gets worse in the agriculture areas.

Speaker #13: Dave Rickert 2400 W. 106th Street

Current trail user. Staff has done an excellent job in Plan. Hopes Council supports it. After approval of the Strat Plan, the NRP is next step to occur. It's distressing that the City doesn't have a strategic plan in place. They said these river lands are degraded. Passing the strategic plan is the right action and hopes the City can get additional funding from the Parks Department to make this the best habitat possible.

Speaker #14: Todd Kemery, Vice resident of Paralyzed Veterans of America, Minnesota Chapter.

Applauded the efforts and long-term focus Bloomington has seen to be part of their future in terms of having everyone included in the plans. They are a unique veterans organization. Much of their focus is on advocacy for legislation for benefits in the community as a whole. He said this river will be part of a greater picture. There will be opportunities for the disabled community. They can go from the VA facility in Ft. Snelling to Lebanon Hills that Dakota County has established. He was involved with the Lebanon Hills program. A lot of these objections for the Lebanon Hills are the very same objections and miscommunications as for this 13 miles along the river bottom. This is an opportunity for everyone to share in a valuable piece of property. Excited to be included once this dual trail gets built. Appreciated this vetting process the Council is going through. Supports the strategic plan and vision as well as the trail portion.

Speaker #15: Jonathan McClellan 3900 W. 102nd Street

Given the limited resources of the DNR, if the City puts money into this, where will the City pull the money from. Other ADA trails will lose funding in order to fund the new project. This question should be answered. We don't want to take away from what the ADA has right now to use.

Speaker #16: Ken Walsh, Secretary of the MN Chapter of Paralyzed Veterans of America 5702 Dunlap Avenue North

Supports the plan with the dual trails and hopes they have access to an entire paved trail. Don't let people scare you with maintenance costs of the trails and that paved trails will displace other things. He said natural trails are murder on his wheelchair. Encouraged moving forward with the plan as presented. Be careful of segregation.

Speaker #17: Non-resident: Steve Cook, Hutchinson, Co-chair of Legislative Committee on Parks & Trails Council

Support the plan and the dual trail piece. The advocate for the legislator for paved trails but also support natural trails. He supports it. He was the Mayor of Hutchinson from 2005-2014 and was involved in paving the loose line state trail. Hutchinson has over 20 miles of paved trails after expanding the trails systems. The Loose Line is their backbone to the trail system. They saw it as a recreation opportunity in health and wellness and provided economic opportunity as well. They were in the 2014 bonding bill. A portion of the trail got paved last year thanks to the Legislature. They too got resistance from current users. They didn't want to impact the current users but make it more accessible so more people could use it. Snowmobiling is still allowed on it. A parallel horse trail was allowed. It's already been very successful. Lots of local people using it as well as visitors. City of Bloomington wants to provide better accessibility and appreciation of the river valley. Let people use it to make that personal connection. That's how you raise awareness, appreciation and protection.

Speaker #18: David Fendley, Representative of State Council on Disability They have a collaborative relationship with the City of Bloomington. Strongly support the plan and the dual trail. Increasing access for a few people increases access for everybody.

Motion by Councilmember Busse.
Seconded by Councilmember Lowman to close the public hearing.

Motion carried 7-0.

There is already a motion before the Council.

Mayor Winstead said the strategic plan already has the elements of the trail in it. We should show great concern about how it's going to be constructed, aligned, and maintained. It is prudent for Council to do its due diligence to see to it that these things are vetted very well.

Councilmember Abrams said Bloomington is at its finest when it has a plan in place to deal with challenges. We can't deal with the natural resources, vegetation growth, because we don't have a plan in place yet. She supports the plan as it's been presented.

Councilmember Oleson said he is impressed with the interest and the variety of ideas people have brought forth and the way in which they've been brought forth. The plan does not get into the specifics of what needs to be vetted. We're still leaving ourselves plenty of room in terms of what else needs to be addressed. Excited to support the plan. We need to be thinking about the plan even more broadly than we have.

Councilmember Busse added his appreciation to staff and for all of the public testimony. He said it goes back to the four goals of the plan. If we meet the first three goals, the fourth goal falls into place. Get people down there to see what an incredible asset this is. What it is now isn't what it should be. There are invasive species and dying trees down there. We need to see what the river can be. People need to experience it. As a whole, this plan does a nice job in meeting those goals.

Councilmember Lowman said everyone gets the opportunity to participate which is really what Bloomington is about. This plan asks the tough questions and it's what Bloomington is about. He supports it.

Motion carried 7-0.

Took a 5-minute recess at 9:45 pm.

10 ORGANIZATIONAL BUSINESS

10.1 City Council Policy & Issue Update

Requested Action: CTO: 9:55 pm

City Manager Verbrugge stated there is national attention being given to Flint, MI for lead in the water. He complimented the Public Works staff for their materials. Part of the issue in Flint, many of the homes are older construction. Service line pipes from street to homes are lead lined pipes. A lot of lead leaching was going on in the pipes. We don't have so many older homes that have those types of pipes so it is not as likely to occur here. Bloomington's groundwater is very hard before going to the Water Treatment Plant. Through lime softening process, a lot of hardness is removed. But it does leave a thin scaling in the pipes. Our water system has been in strict compliance with EPAs lead and copper rule. Public Works takes a lot of pride in the water it produces. Good information can be found on the City of Bloomington Facebook page.

Mayor Winstead added that lead in the water is extremely dangerous and harmful. Bloomington's Water Treatment Plant does much of the testing for a lot of the Metro area.

City Manager Verbrugge added that our 2nd annual Public Works open house will be May 21st. If people want to learn about Bloomington's water system, attend the open house.

City Manager Verbrugge said Council received a petition from a committee of residents relating to the ordinance that Council adopted in December regarding solid waste organized collection. Once that petition is received, the City Clerk has five days to determine sufficiency. Last week, the City Clerk issued a certificate of insufficiency due to flaws in verification and validation of signatures, which means it did not comply with the Charter of having 15% registered voters. The ordinance was effective upon its publication and we are continuing towards implementation of organized collection. Verbrugge said the requirement in the charter is clear that the collector of petitions must make affidavit that the individual signing the petition is who they report to be. That validation process requires a notary. Of the nearly 1400 signatures on the petition, only 75 signatures met the threshold of that validation.

10.2 Community Center Task Force - Youth Appointments

Requested Action: Appoint two youth representatives and one alternate to the Community Center Task Force.

Councilmember Busse motioned to appoint Haaland and Martin and appoint Savannah Salato as alternate.
Seconded by Councilmember Abrams.

Motion carried 7-0.

10.3 Human Rights Commission Appointments

Requested Action: The City Council is requested to make two adult appointments to fill two unexpired terms for 12-31-16.

Councilmember Baloga motioned to appoint Xavier Bicott and Maureen Carlson.
Seconded by Councilmember Abrams.

Motion carried 7-0.

10.4 Parks, Art, and Recreation

Requested Action: The Council is requested to consider three appointments to an adult position, expiring on December 31, 2018.

**Commission
Appointments**

Councilmember Baloga motioned to reappoint of James McCarthy and
appoint Patrick Martin and David Benson.
Seconded by Councilmember Abrams.

Motion carried 7-0.

11 ADJOURN

Mayor Winstead adjourned the meeting at 10:13 p.m.

Denise Dargan
Council Secretary