

CITY OF NEW HOPE  
4401 XYLON AVENUE NORTH  
NEW HOPE, MINNESOTA 55428

City Council Minutes  
Work Session Meeting

January 19, 2010  
Conference Room

**CALL TO ORDER** The New Hope City Council met in work session pursuant to due call and notice thereof; Mayor Hemken called the meeting to order at 6:36 p.m.

**ROLL CALL** Council Present: Kathi Hemken, Mayor  
Andy Hoffe, Council Member  
Eric Lammle, Council Member  
Daniel Stauner, Council Member

Council Absent: John Elder, Council Member

Staff Present: Kirk McDonald, City Manager  
Curtis Jacobsen, Director of Community Development  
Valerie Leone, City Clerk  
Steve Sondrall, City Attorney

**UPDATE BY PEGGY LEPPIK** Mayor Hemken introduced for discussion Item 11.1, Update and discussion with Metropolitan Council Representative Peggy Leppik.

**Item 11.1**

Ms. Peggy Leppik, Metropolitan Council Member for District 6, and Ms. Denise Engen, Sector Representative, were recognized.

Ms. Leppik explained the Metropolitan Council is responsible for planning for the region's growth including transportation (bus and rail transit), aviation, water resources, wastewater collection and treatment, and parks and open space. Ms. Leppik stated the Met Council develops a Regional Development Framework, in cooperation with local communities every 10 years. She noted since 1970 the twin cities metro area has grown over 50% of which 9% occurred during the last decade. She noted the growth rate has slowed but between 2000 and 2030 the seven-county area will gain almost a million people which has a significant impact on resources and infrastructure. Ms. Leppik spoke of the importance of infrastructure planning.

Dialogue was exchanged including New Hope's inflow and infiltration reduction, the uncertainty whether Bottineau Boulevard will serve as a light rail transit line in the future, locations of waste water treatment plants, the Met Council's involvement with drinking water supplies, and the importance of counting all community members for the census.

Ms. Engen encouraged the City Council to visit the Met Council's website for additional information ([www.metrocouncil.org](http://www.metrocouncil.org)). The Council thanked Peggy and Denise for attending the work session.

**CAC TOPICS TO** Mayor Hemken introduced for discussion Item 11.2, Discuss suggestions from

**STUDY  
Item 11.2**

Citizen Advisory Commission regarding topics to study.

Mr. Kirk McDonald, city manager, explained that the Citizen Advisory Commission met on January 12, 2010, and reviewed topics for future study.

Mr. Ken Pronovici, chair of the commission, was recognized. He stated after the list containing 15 items was compiled, the commissioners ranked the priority level as low, medium and high. Mr. Pronovici noted although the commission has not had sufficient time to extensively discuss each topic, it was agreed that discussion at the commission's February meeting would focus on the city beautification project. He commented on other items ranked as high priorities including: city budget, volunteerism, city survey, and community involvement. Mr. Pronovici stated the commission would be willing to change the priority rankings if so determined by the Council.

Council Member Hoffe complimented the parks and recreation staff on the outstanding presentation of January 12. He recommended it be repeated at a council meeting to showcase the city's programs.

The city manager indicated he would speak with staff and coordinate a presentation at a future meeting. A suggestion was also made to put a link to the presentation on the city's website and as a future cable 12 segment.

Council Member Stauner suggested that issues be reviewed by more than one commission in order to seek a broader audience.

Council Member Lammle expressed his respect for the Citizen Advisory Commission's recommendations. He noted having more than one commission reviewing similar topics may require coordination.

Mr. Pronovici initiated discussion regarding the number of members on the commission and stated the commission works well with its current size. He also noted additional community members would be welcomed if people respond to the advertised vacancy.

The Council thanked Mr. Pronovici for his input and attendance.

**CITATIONS,  
ENFORCEMENTS  
Item 11.3**

Mayor Hemken introduced for discussion Item 11.3, Update on administrative citations program and discuss enforcement procedures, door hangers.

Mr. Curtis Jacobsen, director of community development, stated since implementation of the administrative citations program in May of 2009, the city has issued 337 notices for code violations. He stated only 40 of the 337 notices resulted in citations. Mr. Jacobsen emphasized the department's goal to achieve compliance with city code in a fair and equitable manner. He commented regarding the high compliance rate.

Mr. Jacobsen stated a council member had inquired regarding the use of door hanger type notice. He stated the notice by letter provides clarity of the violation, instructions on corrective action, and is able to be tracked in the software system.

He noted a door hanger type notice would be handwritten and could be illegible.

Mr. Jacobsen briefly summarized violations by type. He stated any unpaid fines would be certified to the property tax rolls.

Mayor Hemken inquired of trash can violations. Mr. Jacobsen noted 45 of 49 trash can citations were resolved and only four citations were issued for the properties that did not comply with the correction order. He also pointed out that the city will grant an extension for corrective action if there are extenuating circumstances. He stated the city has not had any requests for administrative hearings.

Discussion ensued regarding foreclosures and compliance issues. Mr. Jacobsen stated there is a small window of time between when the property owner vacates the property and the financial institution assumes maintenance. He noted if necessary the city has the right to intervene. He stated there was a recent situation where the city ordered garbage collection at a property and the expense will be assessed against the property.

**SOLICITORS'  
LICENSE  
Item 11.4**

Mayor Hemken introduced for discussion Item 11.4, Update on Planning Commission's review of establishment of solicitors' license.

Mr. Curtis Jacobsen, director of community development, stated the planning commission reviewed the draft ordinance in depth but did not recommend implementation of a solicitors' license program. He noted the city's current regulations provide residents with a means of limiting solicitation at their homes by posting no solicitation signage. Mr. Jacobsen noted the application process, including a background check by the police department, would be labor intensive for staff.

Discussion ensued regarding the extent of the proposed background check for solicitors. Mayor Hemken noted if a solicitor approached her home she would find it reassuring to know that the city required an application and background check. It was noted that most residents would not call 9-1-1 to complain of aggressive sales tactics.

Ms. Valerie Leone, city clerk, reported the city currently asks door-to-door solicitors to register with the city as a courtesy. She stated there is no fee but it allows the city to collect information regarding the business including a contact person, personal information of the solicitors and vehicle identification. She also pointed out the solicitors are informed of the city's nuisance ordinance. She stated staff would be willing to implement a license process if so desired by Council.

City Attorney Steve Sondrall offered his personal opinion against the establishment of a solicitor's license. He noted it could be counter-productive as it could give someone a false sense of legitimacy (if the company had registered with the city). He noted it might be better to encourage residents to be aware of their rights and to post a notice if they want to prohibit unwanted door-to-door solicitors. Mr. Sondrall stated the city must be careful not to violate anyone's constitutional rights.

Council Member Stauner stated there is a value for the city to be made aware of who is in the neighborhood. He stated he is not ready to adopt an ordinance, although he is not ready to disregard it.

Council Member Lammle suggested that registration maintains a good balance as the city obtains a name and phone number of a contact person to report any nuisances.

Ms. Leone, city clerk, noted the city currently receives approximately 20 registrations per year.

Mr. Steve Sondrall suggested advising residents to be on guard as being registered may not prevent improper actions but to notify the city of any questionable activity so that follow up can be done by the city.

Mayor Hemken suggested an article be placed in a future "In the Pipeline" utility bill insert.

Mr. Kirk McDonald, city manager, suggested amending the city code to include language regarding the registration process which is already in place.

Council Member Lammle expressed his support for a registration or license fee. He also recommended exempting certain non-profit groups.

Mr. Jacobsen informed the Council of a solicitor that downloaded the city's logo and placed it on a name badge giving the appearance that he was affiliated with the city. The Council expressed concern regarding such action but acknowledged the possibility due to technology.

The Council inquired of the process of handling violations. Mr. Sondrall stated he was not certain, but the city of Crystal may handle it under their administrative citations program.

Mr. Kirk McDonald suggested the ordinance be a combination of the existing practice and the draft ordinance. He recommended it be reviewed by the planning commission again. Staff was directed to research the cost of criminal background checks, gather information from neighboring cities, and to recommend a license fee structure. Council Member Stauner recommended gathering input from the Citizen Advisory Commission and Human Rights Commission in addition to the Planning Commission.

**FORECLOSURE  
PROGRAM  
Item 11.5**

Mayor Hemken introduced for discussion Item 11.5, Update on foreclosure program.

Mr. Curtis Jacobsen, director of community development, reported that the inspections staff monitors all properties that are on the foreclosure listing from Hennepin County. He stated the monitoring includes viewing the property, looking for signs of illegal activity, checking for open or broken doors or windows and signs of water damage. He stated any problems identified on foreclosed properties are reported to property maintenance companies, banks, and law

offices. He noted to date no foreclosed properties in the city have sustained any significant damage since the monitoring program was instituted.

Mr. Jacobsen reviewed the number of foreclosures in New Hope:

<u>Year</u>	<u>Number</u>
2005	23
2006	25
2007	54
2008	85
2009	69 (as of November 19)

Mr. Jacobsen stated there are 18 foreclosed homes located in the Neighborhood Stabilization Program target area (between the CP Railroad and Bass Lake Road area), and 13 of the 18 foreclosures are Winnetka Green condos. Mr. Jacobsen reported on the availability of funding and stated the city is increasing its efforts to advertise the funds including the city and county website, flyers, verbally by inspectors, qualifying banks, and realtors). Mr. Jacobsen stated investors are quick to purchase foreclosures for rehab and resale purposes. He also reported that due to New Hope's point of sale program, most of New Hope's properties are well maintained.

Mr. Jeff Houle, chair of the planning commission commented that citizens of New Hope may be the best source to relay information regarding the Neighborhood Stabilization Program. Mr. Jacobsen agreed and noted applicants would work with financial institutions and Hennepin County rather than directly through the city.

Council Member Stauner pointed out a statute that allows foreclosing lenders to shorten the redemption period. Mr. Jacobsen indicated he would relay that information to the inspectors.

Mayor Hemken inquired whether foreclosures must be registered in the city, whether the city has access to foreclosures, and if staff is aware of the number of turnover of foreclosure properties.

Mr. Jacobsen reported the city does not require registration of foreclosed properties but the city monitors the county's website. He also stated the city only tracks the foreclosures and the few homes no longer on the foreclosure listing that remain for sale.

Mr. Sondrall stated the city has an ordinance that allows staff to secure unsecured vacant property. He recalled a prior instance when there was steam on windows identifying a water issue.

The Council thanked Mr. Jacobsen for the update.

**IMP. PROJECT 858**  
**Item 11.6**

Mayor Hemken introduced for discussion item 11.6, discussion regarding the future use of 4424 Nevada Avenue North (improvement project no. 858).

Mr. Curtis Jacobsen, director of community development, reviewed two options

for the recently acquired property at 4424 Nevada Avenue North: 1) redevelopment site; or 2) incorporation into Fred Sims Park as identified under the city's comprehensive plan.

The majority of the Council expressed preference for developing the property as additional park land. Council Member Hoffe stated he has been contacted by several neighbors who believe it would be a nice addition to the park.

Council Member Stauner commented regarding the loss of tax revenue and the abundance of existing parks. He commented if it is designated as park property he would recommend it be used for something other than green space. He stated he is not prepared to agree to incorporating the land into park property, but acknowledged it is unlikely it would be developed for housing in the near future due to the current economy.

City Attorney Sondrall advised the Council that once land is designated and incorporated as park property, it becomes difficult to change the land use in the future.

Due to his absence, Mayor Hemken shared Council Member Elder's support of designating 4424 Nevada as park property. She stated she will not be requesting a vote on the matter at this meeting.

Mr. Jacobsen acknowledged there are many options for the property other than mowed green space. He suggested a public process to work through a planning process for the property's future use.

Council Member Stauner stated he would support incorporating the property into park land if a unique and interesting concept for its use was brought forward.

Mayor Hemken suggested asking for input from the Citizen Advisory Commission and/or an environmental group such as a Cooper High School class.

Council Member Lammle recommended the Council take additional time to consider the options and to explore community involvement.

**CITY OWNED  
PROPERTY  
Item 11.7**

Mayor Hemken introduced for discussion Item 11.7, Discussion regarding the future use of city-owned property adjacent to C.P. Railroad tracks.

Mr. Curtis Jacobsen, director of community development, stated the city-owned property of eight acres was considered at one time as a housing development known as Prairie Ridge. He stated the development never came to fruition and the property remains vacant.

Mr. Jacobsen requested direction by the Council regarding the property. He stated last fall a proposal was made for creating a natural area conservation park at the site. He noted it is the last large undeveloped property within the city. He stated staff recommends the area be held for a potential development opportunity.

City Attorney Sondrall commented on a small tax forfeited piece of land within the

area that was intended to be used as park land. He stated as long as it is not dedicated as park property, future use for development will not be an issue.

The Council agreed to make no decision on the property use at this time.

**STRATEGIC  
PLANNING  
Item 11.8**

Mayor Hemken introduced for discussion Item 11.8, Discuss strategic planning process.

Mr. Kirk McDonald, City Manager, stated this was originally requested as a work session item by Council Member Lammle. He stated both the mayor and a number of council members have discussed their desire for strategic planning or goal setting.

Mayor Hemken explained her main objective is for the City Council and department heads to be working towards the same goals. She stated the management team is meeting February 5, and the Council is meeting February 6. She recommended evaluating each other's goals after both groups meet. She also recommended reviewing the City Plan at a future work session to reaffirm the city plan or clarify the goals to make them more specific and measurable.

Mayor Hemken asked the city manager to incorporate the comments made by Council into his 2010 goals and to present them for approval in the future.

**OTHER BUSINESS**

Mr. Kirk McDonald, city manager, reminded the Council of the Legislative Breakfast on Saturday, January 23, at Crystal City Hall.

Mr. McDonald reported on the number of applications received to date for the planning commission opening. The Council agreed to conduct applicant interviews prior to the January 25 council meeting if they could be concluded by 6:45 p.m. Council Member Stauner recommended giving the prior applicant an opportunity for another interview if so interested.

Council Member Hoffe requested an update regarding the grant for 42<sup>nd</sup>/Winnetka avenue area. Mr. Curtis Jacobsen, director of community development, stated the city received a \$50,000 grant for transit-oriented development study in the city center area. He stated part of the study will be a block exercise (with City Council and Planning Commissioners) to focus on a designated block and learn the expense and difficulty of redevelopment in an urban setting.

**ADJOURNMENT**

The meeting was adjourned at 9:00 p.m. as there was no further business to come before the Council at its work session.

Respectfully submitted,



Valerie Leone  
City Clerk