

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

City Council Minutes
Regular Meeting

April 12, 2010
City Hall, 7:00 p.m.

CALL TO ORDER The New Hope City Council met in regular session pursuant to due call and notice thereof; Mayor Hemken called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE The City Council and all present stood for the Pledge of Allegiance to the Flag.

ROLL CALL Council present: Kathi Hemken, Mayor
John Elder, Council Member
Andy Hoffe, Council Member
Eric Lammle, Council Member
Daniel Stauner, Council Member

Staff present: Kirk McDonald, City Manager
Shari French, Director of Parks & Recreation
Curtis Jacobsen, Director of Community Development
Valerie Leone, City Clerk
Jason Quisberg, City Engineer
Steve Sondrall, City Attorney

APPROVAL OF MINUTES Motion was made by Council Member Elder, seconded by Council Member Stauner **to approve the work session meeting minutes of March 15, 2010.** Voting in favor: Hemken, Elder, Hoffe, Stauner; Voting against: None; Absent: None; Abstained: Lammle. Motion carried.

Motion was made by Council Member Elder, seconded by Council Member Stauner **to approve the executive session meeting minutes of March 15, 2010.** Voting in favor: Hemken, Elder, Hoffe, Stauner; Voting against: None; Absent: None; Abstained: Lammle. Motion carried.

Motion was made by Council Member Hoffe, seconded by Council Member Stauner **to approve the regular meeting minutes of March 22, 2010.** All present voted in favor. Motion carried.

OPEN FORUM There was no one present desirous of addressing the Council.

ROTATING VOTES Please note that votes taken on each agenda item are called by the secretary on a rotating basis; however, the written minutes always list the Mayor's name first followed by the Council Members in alphabetical order.

CONSENT AGENDA Mayor Hemken introduced the consent items as listed for consideration and stated that all items will be enacted by one motion unless requested that an

item be removed for discussion. Mr. Kirk McDonald reviewed the consent items. Item 6.5 was removed for discussion later in the meeting.

MOTION

Consent Items

Motion was made by Council Member Elder, seconded by Council Member Lammle, **to approve the remaining Consent items**. All present voted in favor. Motion carried.

FINANCIAL CLAIMS

Item 6.2

Approval of financial claims through April 12, 2010.

LIABILITY CLAIMS

Item 6.3

Acknowledgement of liability claim no. 2010-11 (Jean Huss).

RESOLUTION 2010-55

Item 6.4

Resolution approving contract with Green Stuff Inc. for weed control and turf fertilization services for 2010.

CONSENT ITEMS

REMOVED:

CONTRIBUTION

Item 6.5

Mayor Hemken introduced for discussion the Consent item removed for discussion, Item 6.5, Resolution accepting a \$74 contribution from Chardon Court Apartments for the city's Donut Make You Wonder program.

Council Member Elder thanked Chardon Court Apartments for the donation and for being a great corporate citizen.

RESOLUTION 2010-56

Item 6.5

Council Member Lammle introduced the following resolution and moved its adoption: **"RESOLUTION ACCEPTING A \$74 CONTRIBUTION FROM CHARDON COURT APARTMENTS FOR THE CITY'S DONUT MAKE YOU WONDER PROGRAM."** The motion for the adoption of the foregoing resolution was seconded by Council Member Hoffe, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammle, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

G.O. BONDS

Item 8.1

Mayor Hemken introduced for discussion Item 8.1, Resolution relating to \$1,590,000 general obligation utility revenue bonds, series 2010A; awarding the sale, fixing the form and details and providing for the execution and delivery thereof and security therefor.

Mr. Kirk McDonald, city manager, explained that bond counsel from Dorsey & Whitney, LLP drafted the resolution approving the sale and the issuance of the bonds. He stated Bruce Kimmel, Ehlers & Associates, the city's financial advisor for the bonds, will present the results of the bond sale. He noted Steve McDonald from AEM is also in attendance if the Council desires to ask any questions of him.

Mr. McDonald indicated the city has secured bonding for past improvement projects and has pursued bond refunding opportunities in the past to achieve a financial savings for the city.

Mr. McDonald reviewed the action taken to date regarding the refunding opportunity and issuance of the new debt. He explained that the bond issue excludes the Series 1999B General Obligation Improvement Bond refunding as the city has sufficient funds on hand to redeem the bonds. He stated the two purposes of the \$1,590,000 bond sale include:

1. Refunding of the G.O. Utility Revenue Bonds, Series 1999A
2. Reimburse water/sewer utility fund for \$752,252 of costs previously incurred for utility portions of the 2008 infrastructure improvement project

Mr. McDonald also reported that the city received a favorable bond rating from Standard & Poor's.

Mr. Bruce Kimmel, Ehlers & Associates, was recognized. He reviewed the bond sale that took place at 10 a.m. on April 12 and stated the winning bid is Wells Fargo Advisors, St. Louis, Missouri, at a true interest cost of 2.5798%. He explained prior to the bid opening the bond issue size was decreased to \$1,580,000 due to the 2011 and 2012 maturity value changes. He stated the city will realize a \$28,000 savings for the 1999A bonds that have four years of remaining payments. He stated the series 2010A bonds have a ten-year payback.

Mr. Kimmel explained the city received an AA credit rating by Standard & Poor's that is higher than the city's previous rating of A1 by Moody's. He stated the rating was based on the city's diverse property tax base, strong financial reserves position, and overall moderate debt burden.

Council Member Elder questioned the small margin between the two lowest bidders and whether the company's history is taken into account. Mr. Kimmel stated no quantitative factors are utilized, and it is customary to base the award solely on the interest rate.

Council Member Stauner pointed out the resolution makes references of the "county" rather than the "city". Mr. Kimmel indicated he would ensure corrections are made to the resolution.

Mayor Hemken thanked Mr. Kimmel for his assistance with the bond sale.

Mr. Kirk McDonald, city manager, stated the city has future debt needs that will be discussed by the Council later this year. He recommended utilizing the services of Ehlers & Associates again.

RESOLUTION 2010-57
Item 8.1

Council Member Elder introduced the following resolution and moved its adoption: **"RESOLUTION RELATING TO \$1,590,000 GENERAL OBLIGATION UTILITY REVENUE BONDS, SERIES 2010A; AWARDED THE SALE, FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR."** The motion for the adoption of the foregoing resolution was

seconded by Council Member Lammle, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammle, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

TRUCK CHASSIS

Item 8.2

Mayor Hemken introduced for discussion Item 8.2, Resolution approving and ratifying the appropriation of funds for, and purchase of, a 2010 truck chassis from Astleford International Trucks for \$81,189.10.

Mr. Kirk McDonald, city manager, stated the resolution ratifies Council's previous direction to purchase a second 2010 truck chassis that has a pre-2010 engine. He stated future trucks are required to contain a "Tier III" diesel engine which will increase the cost by approximately \$15,000.

Council Member Elder recommended postponing the use of the truck to enable the city to use the existing vehicle for its full life.

City Attorney Sondrall stated the Public Works Director's intention is to delay the purchase of the attachments (plows and box) until 2011, and the dump truck would not go into service until 2011.

RESOLUTION 2010-58

Item 8.2

Council Member Lammle introduced the following resolution and moved its adoption: **"RESOLUTION APPROVING AND RATIFYING THE APPROPRIATION OF FUNDS FOR, AND PURCHASE OF, A 2010 TRUCK CHASSIS FROM ASTLEFORD INTERNATIONAL TRUCKS FOR \$81,189.10."** The motion for the adoption of the foregoing resolution was seconded by Council Member Elder, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammle, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

IMP. PROJECT #862

Item 8.3

Mayor Hemken introduced for discussion Item 8.3, Resolution approving plans and specifications and authorizing seeking of quotes for New Hope Athletic Field complex improvement project (project no. 862).

Mr. Jason Quisberg, city engineer, reviewed the scope of the project for the field located at 49th and Ensign avenues which includes drainage, irrigation, and bituminous trail improvements. He stated the city received a grant from the Hennepin Youth Sports Program to fund 50% up to \$48,945. Mr. Quisberg stated a new service connection for a drinking fountain will be bid as an alternate. He noted if the bids are less than estimated, the alternate is eligible for grant funds. Mr. Quisberg explained the total estimated project cost is \$95,500 plus \$6,000 for the drinking fountain component.

Mr. Quisberg reviewed the project schedule with construction taking place in August 2010 and field usage beginning in spring of 2011.

Council Member Elder questioned the irrigation system location and whether the city engineer anticipates the bids will be less or more than estimated.

Mr. Quisberg stated the plans include replacement of the irrigation system in its current coverage location. He explained that it is difficult to project the irrigation quotes as there are few irrigation projects for comparison purposes. He noted the price will be reflective of the type of materials of parts included in the bid (brass fittings versus commercial grade plastic fittings).

Council Member Hoffe asked if the grading work will remedy the field drainage issues.

Mr. Quisberg indicated the project also includes drain tile and aggregate to alleviate drainage problems.

Mayor Hemken questioned the project's impact on field usage.

Ms. Shari French, director of parks and recreation, stated softball leagues will be finished by the first of August and football users are not intending to use the field this year. She also stated the field would be available for soccer usage (multi-use field) if football usage decreases in the future.

Council Member Elder spoke of the benefits of multi-use fields throughout the city.

Mayor Hemken congratulated staff on securing grant funds.

RESOLUTION 2010-59
Item 8.3

Council Member Hoffe introduced the following resolution and moved its adoption: **"RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING SEEKING OF QUOTES FOR NEW HOPE ATHLETIC FIELD COMPLEX IMPROVEMENT PROJECT (PROJECT NO. 862)."** The motion for the adoption of the foregoing resolution was seconded by Council Member Elder, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammle, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

INSPECTION FEE
FOR RENTAL
PROPERTY
Item 10.1

Mayor Hemken introduced for discussion Item 10.1, Ordinance No. 2010-04, An ordinance amending New Hope Code Sections 3-31(3)(7) and 14-2(10) by reducing the point-of-conversion inspection fee for rental property.

Mr. Curtis Jacobsen, director of community development, stated the Council recently discussed reducing the point-of-conversion inspection fee. He stated the ordinance was initially instituted with a fee of \$1,000 on January 1, 2009, and generated a significant number of complaints by affected property owners. He stated the Planning Commission considered the issue and recommended a modification to the fee structure by creating incentives for the property owner which would be beneficial to the city as well.

Mr. Jacobsen stated the modification would lower the initial fee from \$1,000 to \$750 and the \$750 fee would include the first annual rental inspection fee. He stated the property owner would also be eligible for up to two rebates of up to \$250 each. The first rebate could be earned for completion of the class "The Fundamentals of Rental Property Management in Minnesota"; and a second rebate could be earned if 18 months after the date of the rental conversion there have not been any disorderly behavior complaints against the property for which the fee was paid.

Mr. Jacobsen reported that since the Council discussions appeared in the newspaper, staff has received one request from a property owner for the Council to make the amendment and rebate provisions of the ordinance retroactive to January 1, 2010.

Mr. Jacobsen stated staff supports the ordinance amendment and believes the proposed ordinance creates incentives that would benefit the property owner and the city.

Council Member Elder commented on the rental property in the city and noted there are both responsible and irresponsible owners. He noted the Council does not intend to make rental property ownership punitive. He expressed support for the ordinance amendment.

Council Member Lammle inquired of the city's ability to handle rebates retroactive to January 1, 2010. Mr. Jacobsen indicated such an endeavor would be feasible. He cautioned against considering making the amendment retroactive into any part of 2009. Council Member Lammle noted the ordinance benefits the tenants and helps secure the landlord's investment.

Council Member Stauner indicated he would not support making the ordinance amendment retroactive. Council Member Stauner agreed with comments made by Council Member Elder and noted the Council has tried to create an ordinance that ensures good rental property owners by strengthening their knowledge of rental responsibilities. He suggested consideration of a license system instead of the current registration process.

Mayor Hemken directed staff to place the "rebate retroactive" issue on a future work session agenda.

**ORDINANCE 2010-04
Item 10.1**

Mayor Hemken introduced the following ordinance and moved its adoption: **"ORDINANCE NO. 2010-04, AN ORDINANCE AMENDING NEW HOPE CODE SECTIONS 3-31(3)(7) AND 14-2(10) BY REDUCING THE POINT-OF-CONVERSION INSPECTION FEE FOR RENTAL PROPERTY"** The motion for the adoption of the foregoing ordinance was seconded by Council Member Lammle, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammle, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the ordinance was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

**POLLING LOCATION
Item 10.2**

Mayor Hemken introduced for discussion Item 10.2, Resolution designating change of polling location for Precinct 6 and confirming remaining unchanged polling locations for the city of New Hope, Minnesota.

Mr. Kirk McDonald, city manager, called to Council's attention the need to change the polling place for Precinct 6 from Hosterman School. He stated the uncertainty of whether Hosterman School will be sold and possibly demolished prior to this fall's elections prompted staff to make alternate arrangements. He stated staff recommends utilizing Robbinsdale Cooper High School community gyms for the August 10 and November 2 elections.

Mr. McDonald referenced state statute 204B.16 which prohibits a polling place change less than 90 days prior to the election. He stated due to recent legislation moving the primary date forward, the new deadline to submit polling place changes to the County Auditor is May 12, 2010. He indicated the city clerk has discussed the change with the appropriate school district and city staff. Mr. McDonald noted the use of the community gyms will provide ample voter parking and a facility access point that will cause minimal disruption to Robbinsdale Cooper High School.

Mr. McDonald stated the only polling place change recommended at this time is for Precinct 6. He noted the resolution approves the Precinct 6 polling location change and confirms the unchanged polling locations.

The Council expressed support for the change. Council Member Elder questioned whether the voters will be notified. City Clerk Leone noted all impacted voters would be mailed a postcard. Council Member Stauner recommended placement of signage at Hosterman School on Election Day to redirect people to Cooper High School.

**RESOLUTION 2010-60
Item 10.2**

Council Member Elder introduced the following resolution and moved its adoption: **"RESOLUTION DESIGNATING CHANGE OF POLLING LOCATION FOR PRECINCT 6 AND CONFIRMING REMAINING UNCHANGED POLLING LOCATIONS FOR THE CITY OF NEW HOPE, MINNESOTA."** The motion for the adoption of the foregoing resolution was seconded by Council Member Hoffe, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammle, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

**LOCAL JOBS FOR
AMERICA ACT
Item 10.3**

Mayor Hemken introduced for discussion Item 10.3, Resolution stating support for the Local Jobs for America Act (HR 4812).

Mr. Kirk McDonald, city manager, stated the city's human resources manager brought this bill to his attention. He stated Representative Keith Ellison is co-sponsoring a bill which would provide funding to help cities retaining staffing levels, prevent tax increases, and fund salaries for private sector on-the-job training to help local businesses put people back to work.

He stated adoption of the resolution shows the city's support of the bill. He noted if the bill passes and the city is eligible, the city may be able to fund the cost of a police officer or another position.

RESOLUTION 2010-61
Item 10.3

Council Member Stauner introduced the following resolution and moved its adoption: **"RESOLUTION STATING SUPPORT FOR THE LOCAL JOBS FOR AMERICA ACT (HR 4812)."** The motion for the adoption of the foregoing resolution was seconded by Council Member Lammler, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammler, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

WATERSHED
CLEANUP
Item 10.4

Mayor Hemken introduced for discussion Item 10.4, Resolution recognizing the "Great Watershed Cleanup" event.

Council Member Stauner encouraged the community to participate in the Northwood Park cleanup day event on Saturday, April 24, from 9:30 a.m. to noon. He noted it is a rewarding activity.

RESOLUTION 2010-62
Item 10.4

Council Member Stauner introduced the following resolution and moved its adoption: **"RESOLUTION RECOGNIZING THE "GREAT WATERSHED CLEANUP" EVENT."** The motion for the adoption of the foregoing resolution was seconded by Council Member Elder, and upon vote being taken thereon, the following voted in favor thereof: Hemken, Elder, Hoffe, Lammler, Stauner; and the following voted against the same: None; Abstained: None; Absent: None; whereupon the resolution was declared duly passed and adopted, signed by the mayor which was attested to by the city clerk.

EXCHANGE OF
COMMUNICATION
Item 12.1

Mayor Hemken introduced for discussion Item 12.1, Exchange of communication between members of the City Council.

Mayor Hemken

- Reported on upcoming events:
 - April 12-18 – Library Week
 - April 13 - Citizen Advisory Commission at 7 p.m.
 - April 14 – New Hope Business Forum at city hall at 8 a.m. (new starting time)
 - April 14 – Ice Arena engineering study committee at 4 p.m.
 - April 14 – West Metro Fire-Rescue Board at 6 p.m.
 - April 15 – TwinWest Business Council at LDI at 7:30 a.m.
 - April 15 – Bassett Creek Watershed Commission at 11:30 a.m.
 - April 15 – North Metro Mayors Board of Directors at 5 p.m.
 - April 19 – Council Work Session at 6:30 p.m.
 - April 24 – Watershed cleanup Day at Northwood Park (9:30 a.m. – noon)
 - April 26 – Board of Appeal & Equalization continued meeting at 6:30 p.m.
 - April 26 – City Council Meeting at 7:00 p.m.
 - April 28 – Mayor's Prayer Breakfast Committee Meeting at 7:30 a.m.

May 18 – candidate filing period opens for City Council

Council Member Elder

- Announced the Farmers Market Board of Directors will hold its monthly meeting on April 14 at 6 p.m.

Council Member Stauner

- Invited persons to the Meadow Lake Association's annual meeting on April 17 at 9:30 a.m. at the New Hope Golf Clubhouse

ADJOURNMENT

Motion was made by Council Member Lammler, seconded by Council Member Stauner, **to adjourn the meeting, as there was no further business to come before the Council.** All present voted in favor. Motion carried. The New Hope City Council adjourned at 8:00 p.m.

Respectfully submitted,



Valerie Leone, City Clerk