

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

City Council Minutes
Regular Meeting

June 14, 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: Curtis Jacobsen, Director of Community Development
Valerie Leone, City Clerk
Gary Link, Director of Police
Steve Sondrall, City Attorney
Eric Weiss, Community Development Assistant

APPROVAL OF MINUTES

Motion was made by Council Member Elder, seconded by Council Member Hoffe, **to approve the regular meeting minutes of May 24, 2010**. All present voted in favor. Motion carried.

Motion was made by Council Member Lammle, seconded by Council Member Stauner, **to approve the work session meeting minutes of June 1, 2010**. All present voted in favor. Motion carried.

OPEN FORUM

There was no one present desirous of addressing the Council for the Open Forum.

**PLANNING COMMISSION
Item 5.1**

Mayor Hemken introduced for discussion Item 5.1, Update from New Hope Planning Commission.

Mr. Jeff Houle, chair of the Planning Commission, was recognized. He stated over the past year the planning commission has reviewed a variety of code amendments, policies, building expansions and studies. He reported conditional use permits and amendments are typical reviews. Mr. Houle stated the commission reviewed sign setbacks and proposed reducing the setback to two feet behind the curb. He also explained the policy type work the planning commission undertakes such as the point of conversion fee that was recently reduced. Mr. Houle stated there have been relatively few planning cases for the commission to review which has provided an opportunity for the commission to study other issues such as the vacant

properties registration, solicitor's registration, massage therapy license, and Livable Communities study. He reported the planning commission has been involved with the City Center transit oriented development project, the ice arena engineering study, and the District 281 Divestiture Committee.

The Council thanked the planning commission for its volunteer service and expertise. Council noted the planning commission's advisory capacity is an invaluable service.

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. Item 6.4 was removed for discussion later in the meeting.

MOTION

Consent Items

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

BUSINESS LICENSES

Item 6.1

Approval of 2010 business licenses.

FINANCIAL CLAIMS

Item 6.2

Approval of financial claims through June 14, 2010.

MOTION

Item 6.5

Motion to waive the permit fees for the administrative permit and temporary sign permit for the New Hope Community Farmers Market to be held June 19 to October 16, 2010.

RESOLUTION 2010-87

Item 6.6

Resolution approving agreement with North Suburban Aquatic Club for use of Milton C. Honsey Pool for summer practices.

RESOLUTION 2010-88

Item 6.7

Resolution approving agreement with US Masters Swimming, Inc. for use of Milton C. Honsey Pool for summer practices.

CONSENT ITEM

REMOVED

ELECTION JUDGES

Item 6.4

Mayor Hemken introduced for discussion the consent item which was removed for discussion, Item 6.4, Resolution appointing election judges for Primary Election (August 10, 2010) and General Election (November 2, 2010).

Council Member Elder conveyed the Council's appreciation to the election judges for their service to the community.

Council Member Stauner noted it is heartening to know there are many people willing to serve; he also encouraged people to vote.

RESOLUTION 2010-89

Council Member Elder introduced the following resolution and moved its

Item 6.4

adoption: **“RESOLUTION APPOINTING ELECTION JUDGES FOR PRIMARY ELECTION (AUGUST 10, 2010) AND GENERAL ELECTION (NOVEMBER 2, 2010).** The motion for the adoption of the foregoing resolution was seconded by Council Member Stauner, 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.

DRIVER FEEDBACK SIGNS

Item 8.1

Mayor Hemken introduced for discussion Item 8.1, Resolution awarding contract to ACT Traffic Solutions, Inc. for construction of two (2) solar-powered driver feedback signs for Safe Routes to School infrastructure improvements at Sonnesyn Elementary School.

Mr. Eric Weiss, community development assistant, stated the city, county, school district faculty, students, and parents have been working on possible Safe Routes improvements near Sonnesyn Elementary School. He stated it was recommended that solar-powered driver feedback signs similar to those at the Spanish Immersion School be installed along Boone Avenue near Sonnesyn Elementary. He stated Hennepin County is fully funding the project cost of \$14,770. Mr. Weiss noted the city would pay for continued maintenance which is minimal.

Mr. Weiss explained the city received two quotes for the project: ACT Traffic Solutions at \$14,770 and TAPCO at \$14,808. He stated staff recommends awarding the quote to ACT Traffic Solutions, the low quote. He stated ACT Traffic Solutions was the contractor for the recent project near Spanish Immersion School.

The Council conveyed its appreciation to all parties involved with the cooperative effort.

RESOLUTION 2010-90

Item 8.1

Council Member Elder introduced the following resolution and moved its adoption: **“RESOLUTION AWARDING CONTRACT TO ACT TRAFFIC SOLUTIONS, INC. FOR CONSTRUCTION OF TWO (2) SOLAR-POWERED DRIVER FEEDBACK SIGNS FOR SAFE ROUTES TO SCHOOL INFRASTRUCTURE IMPROVEMENTS AT SONNESYN ELEMENTARY SCHOOL).**” 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, 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.

CIVIL DEFENSE SIREN

Item 8.2

Mayor Hemken introduced for discussion Item 8.2, Motion approving a contract between the city of New Hope and Ready Watt Electric for the relocation of the civil defense warning siren located at the Hosterman Middle School building.

Mr. Gary Link, director of police, stated Intermediate District 287 is purchasing the Hosterman Middle School building from the Robbinsdale School District with the intent of demolishing the building in July. He stated one of the city's civil defense warning sirens is currently mounted on top of Hosterman Middle School and must be removed soon.

Mr. Link explained the options provided by Ready Watt Electric for siren relocation and the related electrical power needs. Mr. Link stated the preferred site is a pole-mounted siren on the boulevard on the north side of 55th Avenue near Yukon. He stated the existing siren could be relocated to a pole but it would require a transformer to be installed because it operates on three-phase, 208 volt power. He stated an alternative to re-using the existing siren is to install a brand new siren which operates on 110 volts off a single-phase electrical source and has a battery backup allowing the unit to function and provide warning even if electrical power has failed. Mr. Link noted electrical service is readily available at the site. He stated the price difference for relocating the old siren or installing a new siren is negligible, but in addition to the battery backup feature, the new siren would increase output by five decibels and increase the coverage area to 5,600 feet.

Mr. Link stated an estimate for a new siren on a 55-foot pole is \$17,684.62. He stated a 60-foot pole would be an additional \$581, and electric costs are estimated not to exceed \$3,000, making the total cost approximately \$21,000.

The Council expressed support for the project.

MOTION
Item 8.2

Motion was made by Council Member Lammle, seconded by Council Member Elder, **to approve the contract between the city of New Hope and Ready Watt Electric for the relocation of the civil defense warning siren currently located at the Hosterman Middle School building.** All present voted in favor. Motion carried.

NEIGHBORHOOD
STABILIZATION
PROGRAM
Item 8.3

Mayor Hemken introduced for discussion Item 8.3, Resolution approving master public assistance agreement and related documents for use in conjunction with Twin Cities Habitat for Humanity, Inc. assisting the city in use of NSP (Neighborhood Stabilization Program) funding within New Hope.

Mr. Eric Weiss, community development assistant, stated staff recommends the Council approve a resolution approving the master public assistance agreement for Habitat for Humanity's possible acquisition and redevelopment of lots or housing units in New Hope.

He stated the Neighborhood Stabilization Program is a federal program intended to acquire, demolish and/or rehab foreclosed properties. He stated New Hope has been allocated \$220,000 in NSP funding. Mr. Weiss explained the city has been working with Habitat to acquire and rehab housing units within New Hope's NSP target area (CP railroad north to Bass Lake Road) utilizing NSP funds.

Mr. Weiss noted at the May 24 Council Meeting, the Council approved the documents, in form only, and tonight's action will approve the actual master public assistance agreement. He stated each individual property proposed to be acquired by Habitat using NSP funds will be brought to Council for future action and approval. He stated no city funding will be used. Mr. Weiss stated staff recommends approval of the master public assistance agreement documents.

Mayor Hemken commented that the city is a pass-through agency for the funding.

The Council commented on the benefits of Habitat for Humanity projects and the fact that the homes are owner-occupied.

**RESOLUTION 2010-91
Item 8.3**

Council Member Lammle introduced the following resolution and moved its adoption: **"RESOLUTION APPROVING MASTER PUBLIC ASSISTANCE AGREEMENT AND RELATED DOCUMENTS FOR USE IN CONJUNCTION WITH TWIN CITIES HABITAT FOR HUMANITY, INC. ASSISTING THE CITY IN USE OF NSP (NEIGHBORHOOD STABILIZATION PROGRAM) FUNDING WITHIN NEW HOPE."** 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.

**TWIN CITIES
COMMUNITY LAND
BANK
Item 8.4**

Mayor Hemken introduced for discussion Item 8.4, Resolution approving First Look Program Acquisition Agreement with Twin Cities Community Land Bank (TCCLB).

Mr. Eric Weiss, community development assistant, stated the Council is requested to approve a resolution for the First Look Program Acquisition Agreement with Twin Cities Community Land Bank (TCCLB) for use in conjunction with Twin Cities Habitat for Humanity's possible acquisition of foreclosed properties in the city.

Mr. Weiss explained that TCCLB is a cooperative project between numerous large mortgage lenders and the government to give non-profits a first look (similar to the right of refusal) in acquiring foreclosed properties in the NSP target areas. He stated TCCLB operates the First Look program in the twin cities area. Mr. Weiss stated due to the short timeline frequently encountered with foreclosed properties, it may be necessary to use TCCLB to assist Habitat to acquire properties. He stated the two organizations would work together to accomplish redevelopment goals. Mr. Weiss stated no city funds would be used for the program. He stated staff recommends approval of the First Look program agreement documents.

Council inquired of the benefits of the program. Mr. Jacobsen, director of

community development, stated the program allows a window of time for non-profits to view property prior to other agencies and before foreclosed properties go on the market through real estate agencies. He noted use of the program will not affect the timeline of the sale of foreclosed properties.

RESOLUTION 2010-92
Item 8.4

Council Member Lammle introduced the following resolution and moved its adoption: **“RESOLUTION APPROVING FIRST LOOK PROGRAM ACQUISITION AGREEMENT WITH TWIN CITIES COMMUNITY LAND BANK (TCCLB).”** 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.

SOLICITORS
Item 10.1

Mayor Hemken introduced for discussion Item 10.1, Ordinance No. 2010-07, An ordinance amending chapter 8-6 of the New Hope city code regulating solicitors, peddlers, hawkers and transient merchants.

Mr. Eric Weiss, community development assistant, stated since last fall the Council has been exploring the need for licensing door-to-door solicitors. He stated as a result of the discussion held at the May 17 work session, the city attorney has drafted an ordinance implementing a mandatory registration process and payment of a \$50 fee per applicant. Mr. Weiss noted the registration program will not include a criminal background check. He explained that certain activities would be exempt (newspaper sales, delivery of perishable daily foods, and garage sales). He stated non-profit or free expression organizations would need to file a limited registration but no fee will be required.

Mr. Weiss stated the ordinance maintains the city’s prohibition against selling or soliciting on private property if the owner has displayed a “no soliciting” sign.

Mr. Weiss stated staff recommends approval of the ordinance.

Mayor Hemken reported the ordinance is a result of a citizen’s request that New Hope implement a registration process similar to neighboring cities.

Council Member Stauner requested the deletion of the words “of merchandise” following “merchants”. City Attorney Sondrall concurred with the recommendation and indicated he would revise the ordinance.

ORDINANCE 2010-07
Item 10.1

Council Member Stauner introduced the following ordinance and moved its adoption: **“ORDINANCE NO. 2010-07, AN ORDINANCE AMENDING CHAPTER 8-6 OF THE NEW HOPE CITY CODE REGULATING SOLICITORS, PEDDLERS, HAWKERS AND TRANSIENT MERCHANTS”** The motion for the adoption of the foregoing ordinance 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 ordinance 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 upcoming events:
 - June 17 - Twin West Business Council at LDI at 7:30 a.m.
 - June 17 - Hennepin County Wellness Awards at 7:45 a.m.
 - June 17 - Bassett Creek Watershed Commission at 11:30 a.m.
 - June 17 - Minneapolis Water Advisory Board at 4:00 p.m.
 - June 19 – Farmers Market opens at 8:00 a.m.
 - June 21 – City Council work session at 6:30 p.m.
 - June 22 – Metropolitan Council Environmental services customer forum (Golden Valley city hall) at 1 p.m.
 - June 22 – ice arena engineering study committee at 4 p.m.
 - June 23 – West Metro Fire Board special meeting at 6 p.m.
 - June 28 – City Council meeting at 7 p.m.
 - June 29 – Hennepin County Active Living Complete Streets workshop at St. Joseph Church from 9a.m.-noon

Council Member Elder

- Encouraged the public to support the “we are many families” event at the YMCA on June 27 from noon to 4 p.m. (tickets available for purchase)
- Announced the next Farmers Market Board meeting will take place June 15
- Invited the public to attend the Friends of Northwood Lake meeting at city hall on June 17 at 7 p.m.

Council Member Stauner

- Stated the Shingle Creek Watershed Commission will hold a special meeting on June 29 as it was unsuccessful at reaching an agreement on the annual budget at its regular meeting

Director Jacobsen

- Reminded the Council of the availability of the June 21 work session agenda packet

ADJOURNMENT

Motion was made by Council Member Lammle, seconded by Council Member Elder, **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 7:50 p.m.

Respectfully submitted,



Valerie Leone, City Clerk