

**CITY OF SPRING PARK
SPRING PARK, MINNESOTA**

**MINUTES
APRIL 18, 2005
7:30 P.M. – CITY HALL**

1. CALL TO ORDER

Mayor Rockvam called the meeting to order at 7:30 p.m.

2. ROLL CALL

Hughes, Reinhardt, Williamson, Widmer and Rockvam were present. Staff present: Administrator Weeks, Utility Superintendent Goman, and Deputy Clerk Corl. Others present: Tom Seifert, City Attorney, and Ken Adolf, City Engineer. Others present: Planning Commissioners Mork Bredeson, Anderson, Sippel, and Mason.

3. ADOPT AGENDA

Motion by Reinhardt seconded by Widmer to adopt the agenda. All votes were aye. Motion declared carried.

4. APPROVAL OF MINUTES – April 4, 2005

Motion by Williamson seconded by Reinhardt to approve the minutes for the Council Meeting April 4, 2005. All votes were aye. Motion declared carried.

Williamson noted page 8, 7th sentence, first word “contract” should be “contrast”. The correction was noted.

Mayor Rockvam introduced Council and Staff to the viewing public.

5. PETITIONS, REQUESTS & APPLICATIONS

a) Mike Erickson, 3934 Del Otero Re: Presentation of Flag & Certificate to City
Erickson presented to the City a certificate and flag that he flew over the City of Baghdad in the Free Territory of Iraq during a combat mission June 22, 2004 in honor of the City of Spring Park’s continued support of America’s war on terrorism during Operation Iraqi Freedom. Mayor Rockvam accepted the certificate and flag on behalf of the City along with Planning Commission Chair Anderson who is also Commander of the VFW. Anderson noted Erickson is a lifetime member in the VFW and the only person in the community that has flown as many missions.

b) Lakeview Lofts

1. Construction Update

a) Memo From City Administrator - Noted

Rockvam stated the Council held a meeting with the contractor for the Mist project and they gave a brief summary of the first phase of their project. The Council decided each developer/contractor should come in once a month to discuss concerns with their projects. Todd Frostad, Lakeview Lofts on Spring Street, was present to give a status report on his project along with Randy and Chris Ehalt, Weiss Builders. He said the construction would be ongoing, the roof is going to be capped and the building should be enclosed by the end of June and occupancy by November 2005.

Frostad said the utilities have to be completed and there have been discussions with the county and engineer regarding final details concerning their placement. He stated when the utilities are installed the grading can be completed on Spring Street and it can be reopened. He said there would be open discussions with the City and J.E. Dunn (Mist Lofts) regarding the final streetscape plan that would join the two projects; Mediacom fiber optic lines will be buried within the next 30 to 45 days and this would clear up any issue with the depot project.

Rockvam stated he had a concern with an e-mail from Brian Dusek, from Frostad Development to the City, stating communication regarding issues at the job should come from only Bill Weeks, City Administrator. Rockvam said the memo cites different issues regarding communication for issues at the job site so he called Dusek to understand what is going on. He said the City made it very clear Goman would be the person from the City on site to deal with problems and the City Engineer is the one to make decisions regarding engineering and the last thing we want to do is add the Administrator to the list. Frostad said that was fine and they are trying to funnel communications to one person to alleviate frustration with problems and who they are supposed to deal with.

Rockvam said one issue is keeping Spring Street open and it cannot be used as it is now. He pointed out the temporary road is available to the north of the property but the bus company will not use it because it is full of potholes and ruts, etc. Rockvam stated the City received a call from Joel Battenhoff, owner of the adjacent property and parking lot on Spring Street. He said Battenhoff clearly stated he is disturbed Spring Street is impassable and he was promised only brief interruptions would occur. Rockvam said it is essential to get the building built but he said the Developer's Agreement states that if Spring Street were closed or inaccessible to tenants of the Tonka Ventures building, the Developer would notify the City three business days in advance. Siefert, the City Attorney, confirmed this. He added it would be nice if this were done if there is a need to close Spring Street from here on.

Frostad said he was not aware the back road is impassable. He added it would be a short time before Spring Street will be opened permanently. Rockvam asked why they could not use the north side of the property for staging materials and equipment. Frostad said they have not been able to grade the area and that portion of the site is not usable for now. Rockvam pointed out after May 1st Lord Fletcher's Restaurant has a lease for the north side of the railroad property. Frostad said his easement is on the south side of that property.

Williamson referred to the memo from Hennepin County Regional Railroad Authority (HCRRA) regarding the storage of materials and machinery on their property without their permission. Frostad said they are in the process of cleaning that up. Siefert asked for a target date Spring Street would be completed. R. Ehalt pointed out a storm sewer line has to be installed that would go along Spring Street to the intersection followed by putting down a class 5 material and June 1st is the approximate date the street will open. Rockvam pointed out the problem, as a municipality we have an obligation to provide property owners access to the public street. He said it was indicated last fall the street would be usable and it is concerning that there is talk about damages to property and vehicles, etc. because the street is not open. Frostad apologized and stated it was not their intent that this problem occurred and he would be happy to invite open communication with Buttenhoff and his tenants.

Rockvam read the letter from Roger Swanson, West Arm Townhomes stating the property owners concern with the erosion caused by the run off from the project. The letter stated the run off is going into their holding pond and they are requesting Frostad help clean the pond out upon completion of his project. Also requested were more measures to be taken to minimize the run off. The early hours of construction was another concern. Rockvam pointed out the bales of hay definitely help control the run off. Frostad noted the start times and said they will control that.

Hughes asked Frostad if he ever contacted Buttenhoff for an agreement to use his parking lot. Frostad said Buttenhoff was uninterested in leasing it and use of it is unacceptable. Seifert stated there is a claim of curb damage on Buttenhoff's property where the road was changed to go into the property. Frostad said that curb belongs to the City if that is the concern. Frostad said he would walk the site with the crew and review the issues. Rockvam said a light is needed on the utility pole where the Log Cabin used to be and also by the J.E. Dunn construction trailer across the street.

Bob Gagne, from Senior Community Services, said the construction crew is parking at the end of the parking lot they use and equipment operators would not move their vehicles so the Senior Community Services drivers could get in

and out with their transport vehicles. Gagne said the workers told him that was the cost of progress. He added he does not believe anything Frostad is saying because he does not do what he promises. Rockvam asked Gagne if they could go to the other end of the parking lot to exit. It was pointed out there is no left turn at the point. Rockvam asked if it was possible to put a temporary hold on the no left turn directive. Goman state Hennepin County public works would not allow that because of a traffic safety issue.

Sippel pointed out one of the businesses in the Tonka Ventures Building receives deliveries from full-length semi's and there is no access for the trucks to get to the building. Rockvam said they could come into the parking lot and back in but they would have to have everyone move their cars to make room. Tom Heilman, from Progressive Systems, complained they could not get trucks into the businesses. He stated he was told today the street would be paved in two weeks, and they were going to grade the street to make it usable and this has not happened. Frostad said he would like to address this at the meeting Thursday and bring it back to the Council meeting in May.

Heilman asked Frostad if there was a way to stage equipment elsewhere to open Spring Street. Frostad said the intent was to stage over the building and they are looking for a crane to facilitate that process. He said the issue on Spring Street is the storm sewer on the east end that has to be installed before the street can be finished. Rockvam asked if the pipe could be stubbed in underneath Spring Street to get the grading done on top. Frostad said quite a bit of pipe needs to be put in. Goman said the storm sewer runs to the west along Spring Street and then to the south; it is north of the sewer main that is approximately in the center of the current street.

Adolf showed a diagram of location of the sewer main on Spring Street. He said what is left to do is the storm sewer extension to the entrance of the garage. He pointed out the storm sewer line is going under the north curb line approximately four feet deep. Frostad said the question is if to take down the Tonka Ventures retaining wall and if it is in the county right-of-way. Rockvam said it does not seem practical to not have Spring Street open until the first part of June. Frostad said there would be an action in place after the meeting Thursday and he would communicate it back to the Council. He stated he would grade the temporary road daily to do what they have to do to keep it open.

Williamson noted there has been an extensive period of time trenches have remained open. He said this was a hazard for public safety. He pointed out Cornerstone has secured their site and Frostad's site is not secured. He asked Frostad for a response and his attitude regarding protecting the site from being an attracting nuisance. Frostad said he placed safety obligations in the hands of the people in charge of the site. R. Ehalt said he is working on a site fence

around the perimeter of building only for protection and a safety officer will be out this week to view the site. He added the area that has to be back filled is a vulnerable area and eventually that will get backfilled.

Rockvam referred to a comment earlier regarding tearing down the depot. He clarified the depot is not City owned and it was never said we are going to tear it down even though we would like to see it down. He did not know if HCRRA has commented on tearing it down. Weeks said removal of the depot might provide storage space and access space in the near future. Rockvam said another meeting would be scheduled with Frostad in a month for a progress report. Heilman verified he would receive a letter when Spring Street is open.

2. TIF Increase Request – 4/14/05

Rockvam stated Lakeview Lofts LLC submitted a request to amend the Tax Increment Financing (TIF) agreement increasing the total amount by \$150,000 because of additional costs for removal of contaminants and fuel tanks from the site. The letter said their budget for this surpassed \$272,312.96 and this was outlined in the attached table. Rockvam stated the initial TIF was authorized for \$500,000. He said the down side of this is the property is off the City tax roll and the upside is the amount of contamination that has been removed and would not have if not for this development. Rockvam said he would like to see a recommendation made to forward this to the City Attorney to review this request.

Williamson asked if this increase can be done without a public hearing and was told yes. He verified in so proposing the reviewing of this does not grant the request, but just getting the attorney's opinion. Williamson said he would like to see the timetable; the earliest this was to go back on City tax rolls is 2011 and now it would be 2013 if approved. He said he is sympathetic to the clean up but those were the reasons the TIF was granted in the first place and he is skeptical to grant more for the same reason the first grant was approved. Hughes verified the choice of the amount of \$150,000 is to not have to hold a public hearing. Frostad said he established a certain amount of risk he had to take and the clean up went beyond his expectations and he did not want to go through the legal costs and expense of another public hearing.

Motion by Williamson seconded by Widmer to approve the City Attorney to review the TIF amendment request and provide an update on the timetable before the property is returned to the public tax roll.

In discussion Rockvam said he was under the impression this was not going to the year 2011. Frostad said it was going to 2006 and then increment in five years after that. The Council discussed the increase in the tax value of the property as the project got older. Reinhardt said she would appreciate more

background information from the initial discussion related to the TIF. Rockvam said this TIF is pay as you go. Williamson said the City did not sell bonds and did not put money up front and the only real harm is how long this will be off the tax rolls. Rockvam reaffirmed the net affect is positive.

All votes were aye. Motion declared carried.

7. c) Engineer

2. Schoell & Madson Re: Lakeview Lofts – 4/15/05

Weeks requested the engineer's report discussed at this point in the meeting. Adolf pointed out a potential issue on Spring Street regarding grading on private property on the south side of the street because the back of the proposed curb is six inches from the property line. Rockvam verified Frostad is looking for authorization to go on private property. Frostad said they would be driving onto Tonka Ventures property while grading the street. Adolf said he was just pointing out this is an issue and the construction is more involved than just having space to put in the curb because the elevation of Spring Street is being lowered.

Frostad said he would need to be on private property when grading and when doing the grass area on the corner. He said he was asking how to manage the communication with Buttenhoff that he is doing this work on his property. Rockvam verified the area from the curb on the new location of Spring Street to Buttenhoff's property line is 1 1/2 feet. Frostad said it is 6 feet from the parking lot curb cut. Hughes asked if planters are going to be in that area. Frostad said there is not room on City property for them. Adolf pointed out part of Buttenhoff's property is going to be regarded. Rockvam said the idea is great but if Buttenhoff does not want that done, would some type of retaining wall be done. Adolf said the wall would hinder the opening of car doors in the parking lot.

Frostad asked how to best manage the communication with Buttenhoff. Adolf was concerned this would prevent completion of the road and he wanted to alert the Council. Hughes asked what Frostad's plan was for this. Frostad said he hoped the City would help with the communication problem. Reinhardt said the property owner has a right to be upset and this situation is in the developer's hands. Rockvam said the traveled lanes on Spring Street could be a foot less (6 inches on each side) and that extra foot would help and would not affect travel. He added the sod, if possible, would have to be restored.

7. c) 1. Schoell & Madson Re: Recommend Payment For Underground Jacking - 4/14/05

Adolf said the new water main crossing and force main crossing on Sunset Drive was for the Mist project and it was the intent to add it to the Lakeview

Lofts project. He said he is recommending reimbursement to Lakeview Lofts for those costs. Rockvam said he has no issue with that but asked why there was such a delay on this. Adolf said the information was received and reviewed with the rest of the issues and it was decided to separate this from the other issues still pending. Williamson confirmed this is being added to Cornerstone's charges. Reinhardt asked if the payment was being made to Frostad or to Weiss Builders. Weeks said the check was made to Lakeview Lofts LLC and it is on the claims for payment.

5. c) Planning Commission Minutes – 4/13/05

1. Recommendation Re: Logo on the Water Tower

Weeks said the base color was chosen for the water tower. Williamson stated the Council discussed and voted on using the logo on the tower last year and now something different is being requested. He said the Council asked the Planning Commission to review the request and their recommendation was 5 to 0 with communication from two absent members to reaffirm the logo. Williamson moved to go forward with the agenda. Rockvam said if there is a change in the Council they could revisit the matter and proceed with the request and vote it up or down. Williamson said he would like to appeal the decision of the chair according to Robert's Rules. He stated we must follow a process and a vote on the prevailing side can reconsider a motion. Reinhardt asked if the attorney had advice in this situation.

Seifert said he has never had Roberts Rules disputed at a City Council meeting; rules are amended every day; if there are new people there is occasion to revisit something. He asked if the City of Spring Park adopted Roberts Rules. Williamson said we have accepted that Roberts Rules would be the way in which we conduct business. He added the Legislature adopts specific rules, regarding motions, order of business, special orders, calendars, etc. and every body can adopt their own rules. Seifert stated an argument that a new group can consider a previous motion could be done. He said no motion however, has been made

Motion by Widmer seconded by Reinhardt to open to the public or ask about definite ideas about the logo.

Hughes asked for clarification if the motion is to reopen to public discussion or the entire subject matter. Widmer clarified it is open for discussion.

Upon roll call Hughes and Williamson voted no, Reinhardt, Widmer and Rockvam voted aye. Motion declared carried.

Rockvam said former Council Person Thurk, 2484 Interlachen Road, submitted a request and petition to the City to reconsider the decision to use the logo on the new water tower. He said this was given to the Planning

Commission and they reaffirmed their previous position and now it is before the Council. He added there is new correspondence and different opinions and these have been entered into the record for the minutes. (Rockvam read the e-mails and letters at this time that were submitted to the City office regarding the smiley face.) Widmer said she received calls from residents in favor of the smiley face. She added that one person said the logo contains too much detail to be on the tower.

Williamson referred to the general mailing sent to residents. He noted the new issue of the Verizon Directory does not contain most of the names of the Council and Planning Commission, thus he thanked the Laker for printing the names and phone numbers of the Council. Hughes said he did not receive a single phone call on this issue and one person in his neighborhood said he was in favor of the smiley face. He stated he heard more people say they do not care. Hughes spoke as a former Planning Commission member, that he has respect for the Planning Commission and their representation of residents and they reaffirmed in favor of the logo and we need to go with a new look. He said our tower was the smallest tower on the lake and now we have a bigger tower and can represent us in a professional manner.

Adolf confirmed the height of the new tower is the same as the existing but the new sphere will be larger. Rockvam pointed out when the original discussion took place last May there were a couple different proposals to consider. He said one design was with the logo, of which many thought that may too busy, another proposal was the smiley face on three sides, and the third was to incorporate part of the logo and the smiley face.

Mork Bredeson asked who sponsored the post card because the layout of the card lists the Council and it looks like they support the smiley face. She stated she received 11 phone calls asking why the Council supports this. Roxanne Rockvam, 2437 Black Lake Road, stated she sent the postcards. Mayor Rockvam pointed out the reason there is interest in this is because at the previous Council Meeting the color of paint for the tower was discussed and that is when the petition for the smiley face was submitted and it was given to the Planning Commission for a recommendation. Widmer said the names of the Council were on the card because they were going to discuss the smiley face at this meeting.

Mason referred to the maturity of the development of our City and said that goes along with the water tower and that is our calling card. Widmer said our small town look is disappearing and the smiley face makes people feel at home, the lake is part of Spring Park and also part of our history. She added a lot of our history has been torn down and the only thing remaining pertaining to our history is the smiley face. R. Rockvam said the smiley face is the only link from the past to our future. She added the water tower is viewed as a

landmark rather than a utility structure. She stated the Planning Commission decided on the logo as a cohesive design identifying the City and stated the logo is historical. R. Rockvam said the smiley face used with the word “Spring Park” on the tower would identify a lot of these issues.

Kevin O’Neil, 4560 West Arm Road, said he agreed with R. Rockvam to use the smiley face with name of the City. He pointed out we lost our identity with the new banners on Shoreline Drive that start in Navarre and go to Mound. He added the other City’s banners displayed our logo and that would be a better place to display it. Mork Bredeson thanked the Mayor for mentioning the different options for the water tower. She said the suggestion of combining the two is not allowable because we are suggesting a change in our City logo and many people were involved in creating an identity for Spring Park such as a logo. She said if it was decided as an option to change it, we should go back to community to do this. She disagreed that keeping the smiley face is preserving history; it is preserving something that is familiar. She added she does not believe the smiley face accomplishes the objective of identifying Spring Park. Mayor Rockvam said we do not have our name on the tower and that is one reason for compromising.

Williamson said the City Engineer had to prepare specs to put the water tower up for bid and so last May we proceeded as we did so they could put it out to bid. He asked why were we told we had to deal with it then and expressed his concern an accurate presentation of information is not being given. He said he has no idea as to the author of the smiley face; he has seen it since the 60’s so the idea of the smiley face is not unique to Spring Park but it has been freely used for years; he recognizes the familiarity of it. He said credit should be given to the person that designed our logo for the City. He said, as a matter of record, James Kangas produced something the City has found useful and it has served its purpose. He pointed out the petition was not a formal survey rather just soliciting opinions. Williamson stated this Council has solicited the Planning Commission for a recommendation twice and their recommendation has been unanimous to use the logo and he would be loathed if this Council would, for two times not listen to the Planning Commission.

Hughes said he is concerned that the process we are using is not parliamentary procedure. He said Robert’s Rules clearly states this is out of order and we should have a motion to rescind and to reconsider and the vote we should be taking is inappropriate. He clarified the motion and when it was stated the motion is for just discussion, Hughes said he was mistaken.

Williamson noted the Planning Commission minutes state there were no addresses on the petition and all of the names were not Spring Park resident’s just interested persons in the area. He said the petition is an expression and not a representative measure of Spring Park residents; there were multiple

signatures in the same handwriting listing family members which does not give it a great deal of weight and it cannot be expressed as Spring Park information. R. Rockvam said even though the petition does not have the full information, it displays a vested interest in what is going on the water tower. Mayor Rockvam stated the current motion voted on was to open the discussion.

Motion by Widmer seconded by Reinhardt to approve the smiley face with the name “Spring Park” underneath for the water tower.

In discussion Rockvam noted there is a lot of interest in what is going on the water tower and there seems to be two strong opinions. He asked how many sides for the logo on the tower were in the bid. Adolf said the bid was for one side and an alternate bid for the second side. He added the intent was to have two sides because the name of the City is long and larger letters would run into other side. Rockvam said there is a possibility that we can have the logo on two sides and the smiley face on two sides.

Reinhardt said we have a nice Spring Park logo, it is appropriate for letterhead, web site, etc. but this particular logo is busy. She said most cities have the name of the City on their tower; she appreciates the Planning Commission’s work on this and has respect for their opinion and comments, but does not think that the logo should be on the water tower. Reinhardt said she feels it is vital that we have the name “Spring Park” on the tower and we can keep a little piece of that history and have the smiley face in some version in addition with the name. She added the Council is elected to voice the requests of the residents. She said she appreciates the comments from Mork Bredeson, etc. and the Council should give a second thought to this and the tower would look good with respect.

Hughes stated short of sending something out to every resident the Planning Commission voted twice unanimously in favor of the logo and he would like to see something more professional looking on the water tower. Reinhardt said the smiley face would have character along with the City name. Rockvam said he is in favor of this compromise. Reinhardt said we should get a professional recommendation of what would fit on the tower.

Anderson asked what precipitated this discussion on the water tower. Thurk said it was the petition and the fact nothing was publicized that the smiley face was going to be taken off the tower. Former Council Person Stone said the logo was declared too busy last May and it was decided the bird and trees would be taken off and that would not make it any busier than the smiley face. Adolf said if the name “Spring Park” and the smiley face are going to be used on two sides each, he suggests stacking the word “Spring Park” to allow more room.

Reinhardt asked if it was appropriate to amend the motion to have a professional obtain a three-dimensional view of how the word “Spring Park” stacked would look in with the smiley face. The maker of the motion agreed with the amendment (Reinhardt was the one who seconded the motion). Upon roll call Hughes and Williamson voted no, Reinhardt, Widmer and Rockvam voted aye. Motion declared carried.

Goman said the paint crew would be on the site to start with the base coat and the final two coats would go on after the welding followed by the logo (or whatever). He said the completion date is August 31st. Rockvam requested the rendition to be available in the next couple of weeks. Mork Bredeson requested the Planning Commission to be included in that process and Rockvam agreed.

d) Shoreline Place Re: Request For Parking – 4/15/05

Shoreline Place is requesting to use the area along the construction fence on the north side of Del Otero Avenue for their guests. Rockvam asked how many cars would fit in that area and was told about 3 or 4. Weeks said the contractor and developer have not replied to this request. Hughes verified this was the lower back parking lot used by the Mist. Rockvam asked if Shoreline Place leased the lot or just used it and was told they recently used it. He said his concern would be the flow of construction traffic through this area.

Goman said there is no issue if they park west of the east construction gate, however they are going to start water and sewer construction in the next couple of weeks so this would be a short term fix for their parking problem. Rockvam said the City could look at the “no parking” side of Del Otero. Goman said the south side of Del Otero and east of Bayview is regular parking and that area could be used. Williamson pointed out maybe 10 cars could park there but they could not block mailboxes or driveways.

Mason said restaurant employee’s park behind the bait shop. Martha Mason, Shoreline Place, said the tenants or guests are not allowed to park there. Rockvam said we could authorize parking per the request until that area is torn up. Mason asked for a “no outlet” sign to be installed. Goman said there already is a sign up. Hughes suggested writing Battenhoff a letter asking to use his lot pointing out the need for parking would be in the evening. Rockvam said he did not feel the request a problem unless it interferes with the construction. Mason said it would be less of a problem as long as it happens in the evening. Reinhardt asked if there was a safety issue with parking on that street and was told there doesn’t seem to be for now. A request for no boat trailer parking was made and Rockvam said that was a valid request. He suggested a 30-day trial with the parking request to see if it works.

Motion by Hughes seconded by Reinhardt to approve the parking request by Shoreline Place to allow guest parking on the north side of Del Otero along the construction fence for a 30 day trial period. All votes were aye. Motion declared carried.

e. Miscellaneous – None

6. ORDINANCES & RESOLUTIONS - None

7. REPORTS OF OFFICERS & COMMITTEES

a. Mayor

1. Administrative Committee Minutes – 4/6/05

Williamson noted the committee had an extensive discussion on Norling's property, 4332 Shoreline Drive, and the lease with the Connors, the previous owners, and there is no mention of this in the minutes. Reinhardt noted a Capital Improvement Program (CIP) would be developed. Rockvam noted Norling has ceased working on the property. He added he could see how critical it is to keep the line of communication open between City, developer, contractor, etc. Hughes referred to West Arm Road central and said it was his understanding the City was not going to charge residents for any improvements but he is hearing there is a potential we are going to assess part of it. Rockvam stated the residents on Lafayette Lane were charged for some of their improvements and the City paid the balance. Reinhardt said the residents in favor of the project would depend on what and if they are going to be assessed for it.

Motion by Hughes seconded by Reinhardt to approve the Administrator to instruct Schoell & Madson to figure appropriate estimates for the two suggested designs for West Arm Road Central. All votes were aye. Motion declared carried.

b) Council –Hughes, Reinhardt, Williamson, Widmer

Widmer asked if there was a leak in a water pipe on Spring Street by Sunset because a truck sank down in the mud. Goman said there was not unless a hydrant got hit and caused the water leak. He will look into this. Rockvam requested Lakeview Lofts install a sign on West Arm Drive that states "no construction traffic".

Reinhardt said she is working on the website.

c) Engineer – Discussed previously in the meeting

d) Utility Superintendent

Goman gave an update on the progress of the water tower. He said the welding is finished; the paint crew is on site and Tuesday they should start to sandblast, followed by painting.

e) Administrator

1. Background & Update on Hoop House, 4340 West Arm Road

Widmer pointed the neighbors stated there is a lot of activity going on such as hauling, etc. especially for someone not physically able to do anything per Rosen's communications. Rockvam asked when Rosen said he would have this done. Widmer said it would be in June. Rockvam asked the Council their decision on this. Widmer asked if Rosen received an occupancy permit. Weeks said he thought a temporary one was issued. Reinhardt asked when that expired. Weeks said he has not seen the date. Widmer asked the deadline on the landscaping. Rockvam asked if the Building Inspector inspects this and Weeks said the City Engineer does. Rockvam said if they are living in the house they should have a certificate of occupancy and why wait until June. Widmer said the City keeps on extending Rosen's deadlines. Reinhardt asked if there are options. Weeks will check on this, the status of the landscaping and the certificate of occupancy. Hughes said this issue is the hoop house and we should take it down and bill him. Rockvam said the City should know if it is legal to do that. Weeks will check on how to exercise this.

2. May Calendar - Noted

3. Expenditures & Cash Investment Summary (End of 1st Qtr)

Hughes referred to "Law/Legal Services" and asked if some of this will be charged back to developers. Weeks said this is the City's expense. Rockvam said we have to know the breakdown of the expenses. Weeks said they are for numerous projects. Hughes noted the large percentage for "Surface Water Management". Rockvam pointed out a lot of the expenses we would not have for the rest of the year. He requested a breakdown for the items with high percentages for the next meeting. Widmer referred to the claims for payment #2 Dahlke Tree Service and asked where the tree trimming was done. Goman said it was done on Black Lake Road, West Arm Road, and the banners and brackets are for the changing seasons.

Widmer asked if the City received the excess increment check from the county and was told we did. Weeks said it was deposited at Prime Security. Williamson asked if the City received a check from the vacated portion of Del Otero. Weeks said no because the closing was delayed until the end of the month.

4. Miscellaneous

Weeks said the Police Commission Meeting is at All Stars tomorrow at 1:00 p.m.

8. CLAIMS FOR PAYMENT

Motion by Widmer seconded by Hughes to approve the claims for payment for April 18, 2005. All votes were aye. Motion declared carried.

9. UNFINISHED BUSINESS - None

10. NEW BUSINESS & COMMUNICATIONS

The following communications were noted:

- a) Letter to West Arm Residents Re: Potential Road Improvements – 4/5/05
- b) Letter to Todd Frostad Re: Lakeview Lofts – 4/7/05
- c) Letter to George Norling Re: 4316 & 4332 Shoreline Drive – 4/11/05
- d) Newsletter Spring 2005

11. MISCELLANEOUS

Mason asked if it was possible to put up a sign that stated the road is closed at Bayview Place. Goman said it is possible to put one up that states road closed ahead or no thru traffic or no outlet. He said he would look into it.

12. ADJOURNMENT

Motion by Williamson seconded by Widmer to adjourn the Council Meeting at 10:40 p.m. All votes were aye. Motion declared carried.

SHARON CORL
DEPUTY CLERK

WILLIAM D. WEEKS
ADMINISTRATOR/CLERK/TREASURER