

## MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 2, 2016

The City Council of Medina, Minnesota met in regular session on March 2, 2016, at 7:00 p.m. in the City Hall Chambers. Mayor Mitchell presided.

### **I. ROLL CALL**

**Members present:** Anderson, Cousineau, Pederson, Martin, and Mitchell.

**Members absent:** None.

**Also present:** City Administrator Scott Johnson, City Attorney Ron Batty, City Engineer Tom Kellogg, City Planner Dusty Finke, Public Works Director Steve Scherer, and Public Safety Director Ed Belland.

### **II. PLEDGE OF ALLEGIANCE (7:00 p.m.)**

### **III. ADDITIONS TO THE AGENDA (7:00 p.m.)**

The agenda was approved as presented.

### **IV. APPROVAL OF MINUTES (7:00 p.m.)**

#### **A. Approval of the February 16, 2016 Special City Council Meeting Minutes**

Anderson referenced section two, paragraph three, and stated that he did not remember that information being discussed.

Mitchell noted that the item was talked about briefly as the information was not included in the packet.

Pederson referenced an item regarding the fire departments and asked if that was discussed.

Mitchell noted that the item was discussed very briefly.

It was noted in section two, it should state, "...fire departments department...~~their~~ its..." In the second paragraph, it should state, "...future proposed contract amendments..." Prior to the last paragraph, this title should be inserted, "**IV. Other Matters**". It should also state, "...highway 12," "...\$5,000," "...~~Mayor's~~ Mayors'..."

*Moved by Anderson, seconded by Cousineau, to approve the February 16, 2016 special City Council meeting minutes as amended. **Motion passed unanimously.***

#### **B. Approval of the February 16, 2016 Regular City Council Meeting Minutes**

It was noted on page two, line 34, it should state, "...~~to open~~..." On page two, line 35 it should state, "...~~their~~ its..." On page three, line 24, it should state, "~~their~~ the Plymouth City Council..." On page three, lines 32 and 35, it should state, "...~~their~~ its..." On page four, line 10, it should state, "...are ~~not~~ no additional funds ~~for use in~~ available from the Metropolitan Council for the Comprehensive Plan process for Medina."

*Moved by Anderson, seconded by Cousineau, to approve the February 16, 2016 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. **CONSENT AGENDA (7:06 p.m.)**

- A. **Approve Temporary Liquor License to Church of St. Anne at 200 Hamel Road on August 28, 2016**
- B. **Approve Temporary Liquor License to Wildlife Rehabilitation Center of Minnesota at 3000 Hamel Road on August 13, 2016**
- C. **Approve Amended and Restated City of Medina License for Collection and Disposal of Residential Solid Waste, Recyclables, and Compostables with Randy's Sanitation, Inc.**
- D. **Approve Lawn and Grounds Services Agreement with Shaggies Lawn Care**
- E. **Approve Cooperative Water Resources Management Project Joint Powers Agreement Between Three Rivers Park District, City of Independence, City of Medina and Pioneer-Sarah Creek Watershed Management Commission**
- F. **Resolution No. 2016-15 Accepting Bids and Awarding the Contract for Wellhouse No. 3 Addition Project**
- G. **Approve Temporary Part-Time Planning and Building Assistant Job Description and Authorize to Recruit and Hire to Position**

Johnson referenced Item C and noted that the contract was updated per the Council direction that was given at a meeting in February. He referenced Item G and advised that the item was already included in the 2016 budget and is not an additional position.

*Moved by Pederson, seconded by Anderson, to approve the consent agenda. **Motion passed unanimously.***

VI. **COMMENTS (7:08 p.m.)**

A. **Comments from Citizens on Items not on the Agenda**

There were none.

B. **Park Commission**

Scherer had nothing further to report.

C. **Planning Commission**

Finke stated that the Planning Commission will meet the following Tuesday to consider a public hearing for an ordinance amendment regarding use of cement fiber board siding in Uptown Hamel. He advised that the Commission will also consider a conceptual land use map developed by the Steering Committee as well as a brief review of the Wealshire of Medina Site Plan. He noted that the applicant would like to remove the underground parking because of the cost.

Mitchell noted that he spoke with the applicant as well in attempt to clear up confusion with sewer and water connection fees. He advised that Finke provided a document which compared the development related charges for Medina to those of Bloomington and noted that the costs overall were very similar in total.

VII. **NEW BUSINESS**

A. **The Enclave at Brockton 6<sup>th</sup> Addition (7:12 p.m.)**

Johnson stated that this proposal includes the final 17 lots for the Brockton side of the development, which includes 75 foot wide lots and the construction of Cypress Circle South.

Finke presented the request for the final phase of the Brockton Enclave development. He stated that the purpose of the Final Plat review is to review for consistency to ensure the Preliminary Plat approval and conditions had been met. He stated that the plan is essentially identical to what was originally proposed and noted that the report included the completion dates of the conditions specified in the Preliminary Plat approval.

Martin asked if the developer had met the conditions specified in the prior approvals.

Finke stated that there are multiple phases underway and therefore the conditions are being met as progress continues to be made. He noted that there is a financial surety being held.

Martin asked if the developer is still making the public improvements specified.

Finke noted that some of the items had been pushed to later phases, but this being the last phase will enact those improvements as well, specifically the turn lane improvements for Brockton. He noted that there are financial guarantees being held as required by the Development Agreement. He noted that the City would like to delay those until the construction traffic has decreased to reduce the amount of wear and tear on the roadways, and therefore are pushing that condition back until 80 percent completion.

**1. Resolution No. 2016-16 Granting Final Plat Approval for the Enclave at Brockton 6<sup>th</sup> Addition**

*Moved by Anderson, seconded by Pederson, to adopt resolution no. 2016-16 granting final plat approval for the Enclave at Brockton 6<sup>th</sup> Addition. **Motion passed unanimously.***

**2. Development Agreement by and between the City of Medina and U.S. Home Corporation for the Enclave at Brockton 6<sup>th</sup> Addition**

*Moved by Cousineau, seconded by Anderson, to approve the development agreement by and between the City of Medina and U.S. Home Corporation for the Enclave at Brockton 6<sup>th</sup> Addition. **Motion passed unanimously.***

**B. Tomann Preserve-Damyan Lot Line Rearrangement – 3112 Pioneer Trail and 4003 Apache Drive (7:17 p.m.)**

Johnson noted that the Council had discussed this item in closed session a few months prior. He stated that Finke and Scherer have done a great job working with the property owner to extend the property line of the parcel the City may purchase.

Finke explained that the City is purchasing property and therefore is the land use applicant. He stated that the City is seeking to purchase two thirds of the property from 4003 Apache Drive, noting that this portion of the lot is separated from the remaining property at 4003 Apache by a large wetland. He stated that this transaction would allow the City to own the entire wooded area. He advised that both properties, along with adjacent properties, are zoned rural residential. He provided additional details on the nonconformity of the lot, noting that while this transaction would increase the lot size for

the City property it would reduce the size of the property at 4003 Apache. He noted that even though the property size would be reduced, the portion of land being transferred to the City would not be useable by the property owner, for items such as a secondary septic location, because of the wetland location. He stated that staff recommends approval of the request.

Cousineau referenced a statement in the report asking what public interest may be better served with this transaction and asked if that is because people using the park would trespass into this property as it is currently.

Finke provided additional information regarding drainage and utility easements and the relationship between requiring those items and the sale price of the land.

**1. Resolution No. 2016-17 Approving a Lot Line Rearrangement between 3112 Pioneer Trail and 4003 Apache Drive**

*Moved by Anderson, seconded by Pederson, to adopt resolution no. 2016-17 approving a lot line rearrangement between 3112 Pioneer Trail and 4003 Apache Drive. **Motion passed unanimously.***

**VIII. CITY ADMINISTRATOR REPORT (7:26 p.m.)**

Johnson stated that the road weight restrictions were put into place on February 29<sup>th</sup> to protect the roadways.

**IX. MAYOR & CITY COUNCIL REPORTS (7:26 p.m.)**

Martin stated that she traversed Hunter Drive going into Orono and noted that the roadway is full of potholes. She stated that she and other residents in that area contacted Orono and there has been some filling of the potholes, which has helped. She urged others that travel roadways into Orono that need filling to reach out to Orono staff.

Belland reported that the annual meeting for the West Metro Drug Task Force was held on February 26<sup>th</sup> and provided a brief update on the activity, which was discussed. He provided an update on funding activity as well.

Mitchell stated that Belland also received a commendation at the meeting for his assistance with the organization.

**X. APPROVAL TO PAY THE BILLS (7:35 p.m.)**

Johnson noted that two of the checks were voided from the bill list and two additional checks were added, numbers 44068 and 44069. He stated that the amount remains the same, noting that the checks were written to the wrong parties.

*Moved by Martin, seconded by Pederson, to approve the bills, EFT 003549E-003563E for \$51,717.19, order check numbers 44035-44069 for \$215,285.61, and payroll EFT 506990-507015 for \$46,893.37. **Motion passed unanimously.***

**XI. ADJOURN**

*Moved by Martin, seconded by Anderson, to adjourn the meeting at 7:36 p.m. **Motion passed unanimously.***

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Bob Mitchell, Mayor

Attest:

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Jodi M. Gallup, City Clerk