

## **MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 16, 2010**

The City Council of Medina, Minnesota met in regular session on March 16, 2010 at 7:05 p.m. in the City Hall Chambers. Acting Mayor Carolyn Smith presided.

### **I. ROLL CALL**

**Members present:** Siitari, Smith, and Weir.

**Members absent:** Crosby and Johnson

**Also present:** City Attorney Ron Batty, City Engineer Tom Kellogg, City Planner Dusty Finke, City Administrator Chad Adams and Recording Secretary Amanda Staple.

### **II. PLEDGE OF ALLEGIANCE**

### **III. ADDITIONS TO THE AGENDA**

*The agenda was accepted as presented.*

### **IV. APPROVAL OF MINUTES**

#### **A. Approval of the March 2, 2010 Regular City Council Meeting Minutes**

It was noted on page five, line 35, it should state: "...did not think that a structure with a concrete slab should be allowed..." On page five, line 50, it should state, "...permanent structure."

*Moved by Weir, seconded by Siitari, to approve the March 2, 2010 Regular City Council meeting minutes as amended. **Motion passed unanimously.***

### **V. CONSENT AGENDA**

#### **A. Schedule Special Meeting on April 6, 2010 at 6:00 p.m. for Temroc Facilities Plan Review**

#### **B. Approve First Amendment to Agreement to complete Landscaping at Gramercy Club Elm Creek**

#### **C. Approve Portable Sanitation Service Agreement**

*Moved by Weir, seconded by Siitari, to approve the consent agenda. **Motion passed unanimously.***

### **VI. COMMENTS**

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

There were none.

#### **B. Park Commission**

Park Commissioner Paul Jaeb stated that the Park Commission is working to develop a draft plan for future parks and would also discuss a pedestrian trail crossing at Highway 101 during their meeting. He stated that lights and irrigation for Hamel Field would also be discussed, along with the creation of a "friends of the park" group within the

community. He reported that Saturday, April 24<sup>th</sup> is the Annual Clean-Up Day and the Park Commission is planning to have information at the event again.

**C. Planning Commission**

Planning Commissioner Robin Reid reported that the meeting the previous week revolved around implementation of the staging plan including in the 2010 through 2030 comprehensive plan and summarized the discussion that took place.

**VII. NEW BUSINESS**

**A. Open Systems International Inc.**

Finke stated that although staff was directed to prepare resolutions and an ordinance, a short presentation would be given due to the large scale of the project and some concerns from the applicant in regard to listed conditions. He advised that staff was not opposed to some conditions being modified, such as condition #18 to state that, City water may be utilized for temporary irrigation of new plantings to support establishment. He briefly summarized the other requested changes that staff was not opposed to in regard to the listed conditions.

Weir stated that she had concern with condition #11 regarding the wood chips being required, as she had learned that further flexibility would be allowed if the language stated "soft trails" rather than "wood chip trails".

Finke reported that legal staff recommends a super-majority vote to approve rezoning from residential to mixed-use. He suggested that Council could approve the motions tonight if section two was removed and section three was renumbered to section two. He advised that the remainder could be approved at a later time when four Councilmembers were present.

Batty suggested that the vote take place now and advised that it could be readopted at a later time in the meeting if four Council members are present.

**1. Ordinance Rezoning Certain Property at the Northwest Corner of Highway 55 and Arrowhead Drive**

*Moved by Weir, seconded by Siitari, to approve the Ordinance Rezoning Certain Property at the Northwest Corner of Highway 55 and Arrowhead Drive, Sections I and III, striking Section II. **Motion passed unanimously.***

**2. Resolution Granting Preliminary Plat Approval for Cavanaugh's Meadowwoods Park, Located at the Northwest Corner of Highway 55 and Arrowhead Drive**

*Moved by Weir, seconded by Siitari, to approve the Resolution Granting Preliminary Plat Approval for Cavanaugh's Meadowwoods Park. **Motion passed unanimously.***

**3. Resolution Granting Approval of a Site Plan Review and Conditional Use Permit to Open Systems International Inc. for Construction of an Office Building at Lot 1, Block 1, Cavanaugh's Meadowwoods Park**

*Moved by Siitari, seconded by Weir, to approve the Resolution Granting Approval of a Site Plan Review and Conditional Use Permit, with the changes noted. **Motion passed unanimously.***

**B. Staging Plan Point System**

Finke stated that the purpose tonight was to gain broad policy direction in order to start the creation of the point system. He summarized portions of the comprehensive plan in regard to staging and the incentive based points system that is mentioned. He advised that the City of Maple Grove applies a points system to only residential property as a method for obtaining high quality development. He stated that staff recommends the point system be applied only to properties which would like to “jump ahead” of their staging period and not to properties which are in the current staging period. He questioned if it should be made easier for a property that will come into the staging period within 12 months to “jump ahead” with the points system.

Adams stated that the point system would likely not be utilized much for the next few years and advised that modifications could be made to the system in the future once the groundwork is complete.

Weir stated that the City already allowed OSI to make an application and construction was allowed to begin prior to the staging period being reached, but occupancy of the building would not occur until the staging period.

Finke referred to the Maple Grove points system and questioned whether certain aspects were worth too many, or too few points, and whether the system was too specific or complicated.

Weir questioned which points system would be most practical and easily administered by the City.

Finke stated that he believed the City would be able to administer either a specific or general point system.

Smith commented that the detail of the Maple Grove points system makes it very clear.

Finke advised that the Maple Grove system is based solely on residential development and explained that Medina would also use the points system for commercial property, which is often more unique than residential.

Weir stated that recently the City has been moving towards more general guidelines and standards.

Batty commented that general standards allow for flexibility for approval or denial, while more specific standards allow for denial based on someone not meeting the regulations. He clarified that with specific regulations, if an applicant were to meet those regulations the City would not have much reason for denial.

Smith questioned if the City could meet between the middle of general and specific standards.

Finke discussed the capacity of the infrastructure and questioned how heavily infrastructure should be weighed in this points system. He explained that infrastructure could be considered as one of many items or infrastructure could be the item that makes or breaks the system.

Smith stated that some benefit could be gained with flexibility, such as in the Bridgewater development, where a developer creates the needed infrastructure for the City.

Weir suggested using language that states if the infrastructure is not available the developer must supply the infrastructure.

Smith suggested weighing infrastructure heavily, but that it also is considered as one of many items, and again referenced the example of Bridgewater.

Batty commented that Bridgewater is the exception to the rule and would not be a common development for the City; although he agreed that the development and collaboration between the developer and the City were great. He stated that Finke would have quite a bit of work ahead of him in the development of this system and advised that importance would be placed on the details.

Finke questioned if there should be a threshold for project approval between different types of zoning, such as commercial and residential.

Smith stated that she believed the impact for commercial property and residential development would be almost equal and was unsure why commercial would qualify for a lower threshold.

Adams commented that there are different benefits for commercial property, such as taxes, because commercial properties generally pay twice the tax rate as residential properties.

Finke stated that in general, commercial property has more benefit for the City and less impact. He stated that lower threshold could be given to commercial properties that would have less of an impact on City services. He also asked that the Council prioritize the seven factors for points and displayed those answers for review. He stated that he did obtain the information from the Council that he hoped to and advised that he would continue to work on the system, but was unsure that the plan would be ready for the April meeting of the Planning Commission.

## **VIII. CITY ADMINISTRATOR REPORT**

### **A. Terry Tomann Donation of Property to City**

Adams stated that the City is not accepting the property or the donation tonight and clarified that the purpose tonight is to obtain direction for staff to prepare the instruments necessary to accept the land donation from Terry Tomann.

*Moved by Weir, seconded by Siitari, to direct Staff to prepare the instruments to accept the land donation from Terry Tomann. **Motion passed unanimously.***

Smith mentioned that the City would hold a recognition event in the future as well as naming of the land.

### **B. Schedule Special Meeting on April 2, 2010 at 9:00 a.m. for Business Tours**

*Moved by Weir, seconded by Siitari, to schedule a Special Meeting on April 2, 2010 at 9:00 a.m. at the respective business sites. **Motion passed unanimously.***

**XI. MAYOR & CITY COUNCIL REPORTS**

Weir stated that she and Siitari attended the previous meeting of the Northwest League of Cities, with the presentation from the Hennepin County Assessor and briefly summarized the information he presented. She advised that the assessor found the current economy to be challenging in regard to the ability to obtain comparable values in the market. She reported that she attended a sustainability workshop with members of staff that she found beneficial and summarized the discussion that took place.

Siitari stated that he was unsure how his upcoming schedule would be affected as he may need to begin working 12 hour shifts with his new position with the Department of Homeland Security.

Weir stated that she spoke with a member of the DNR in regard to arborists and advised that there is a list of approved arborists that could be used.

Adams reported that the issue regarding arborists would likely be brought back to the Council during the first or second meeting in April for further discussion.

**XII. APPROVAL TO PAY THE BILLS**

*Moved by Weir, seconded by Siitari, to approve the bills, EFT 000638, 000689-000697 for \$30,509.80 and order check numbers 035216-035279 for \$113,532.56, and payroll check 020225 for \$226.63 and payroll EFT 502625-502654 for \$42,821.75. **Motion passed unanimously.***

**XIII. ADJOURN**

*Moved by Weir, seconded by Siitari, to adjourn the meeting at 8:35 p.m. **Motion passed unanimously.***

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Carolyn A. Smith, Acting Mayor

Attest:

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Chad M. Adams, City Administrator-Clerk