

## MEDINA CITY COUNCIL MEETING MINUTES OF AUGUST 16, 2011

The City Council of Medina, Minnesota met in regular session on August 16, 2011 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

### I. ROLL CALL

**Members present:** Crosby, Pederson, Martinson, Siitari, and Weir.

**Members absent:** None.

**Also present:** City Attorney Ron Batty, City Engineer Tom Kellogg, Planner Dusty Finke, Finance Director Jeanne Day, Public Works Superintendent Steve Scherer, Interim City Administrator Doug Reeder, and Recording Secretary Amanda Staple.

### II. PLEDGE OF ALLEGIANCE

### III. ADDITIONS TO THE AGENDA

Reeder requested to add two items to the Consent Agenda, Resolution Approving State of Minnesota Joint Powers Agreement with City of Medina on Behalf of its City Attorney and Police Department, and Appointment of City Treasurer.

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

### IV. APPROVAL OF MINUTES

#### A. Approval of the August 3, 2011 Regular City Council Meeting Minutes

It was noted on page four, line 16, it should state, "...proper access for the entire project...for improvements to ~~that~~ any intersection at a later date with the understanding that such access would be the developer's responsibility." On page five, line ten, it should state, "...questioned if ~~that was allowed~~ the claim that the center island at the access provided two access points." On page six, line 34, it should state, "...Hamel Commons Plat (Wranglers)."

*Moved by Siitari, seconded by Martinson, to approve the August 3, 2011 regular City Council meeting minutes as presented. **Motion passed unanimously.***

### V. CONSENT AGENDA

#### A. Approve Brush Grinding Services Agreement

#### B. Approve Final Pay Request to GMH Asphalt Corp. for County Road 116 Trail

#### C. Resolution No. 2011-67 Accepting Donation from Hamel Athletic Club

#### D. Resolution No. 2011-68 Accepting Donation from Carole Sue Greene

#### E. Ordinance No. 509 Amending Chapter 320 of the Code of Ordinances Regarding Firearms, Deadly Weapons and Fireworks

#### F. Resolution No. 2011-69 Authorizing Publication of Ordinance Amending Chapter 320 by Title and Summary

- G. Resolution No. 2011-70 Establishing Administrative Rules Regarding the Discharge of Firearms within Sensitive Hunting Area 1
  - H. Resolution No. 2011-71 Designating Sensitive Hunting Area 1, Generally Located South of Medina Road and East of Hunter Drive
  - I. Ordinance No. 510 Amending the Official Zoning Map to Rezone the Property Being Subdivided as "Fields of Medina"
  - J. ~~Resolution No. 2011-72 Approving a Mixed Use Stage II Plan and Preliminary Plat for a Residential Subdivision to be Known as "Fields of Medina"~~
  - K. Resolution No. 2011-73 Accepting Resignation of Finance Director Jeanne Day
  - L. ~~Authorize Staff to Advertise and Conduct Search for Finance Director Position~~
  - M. Resolution No. 2011-74 Approving State of Minnesota Joint Powers Agreement with City of Medina on Behalf of its City Attorney and Police Department
  - N. Appointment of City Treasurer
- J. Resolution No. 2011-72 Approving a Mixed Use Stage II Plan and Preliminary Plat for a Residential Subdivision to be Known as "Fields of Medina"

Reeder advised that additional language was developed for condition six and provided that language to the Council.

Batty provided clarification regarding the requested change to condition six.

*Moved by Weir, seconded by Pederson, to approve Resolution No. 2011-72 Approving a Mixed Use Stage II Plan and Preliminary Plat for a Residential Subdivision to be Known as "Fields of Medina" as amended. Motion passed unanimously.*

- L. Authorize Staff to Advertise and Conduct Search for Finance Director Position

Pederson believed it may be helpful for the new City Administrator to assist with this search and to help determine whether that position is needed. He advised that Day is going to the private sector but could contract to provide the needed services.

Crosby stated that he also felt discussion needed to occur regarding the salary range. The new City Administrator was in the audience and Crosby questioned his opinion on the matter.

Scott Johnson stated that he has spoken with Reeder and believed the City should move forward with the search.

Crosby confirmed that a cost could be obtained in regard to contracting services from Day in the future.

Weir and Crosby suggested language changes for the job description. Crosby questioned the pay scale shown in the position listing.

Day advised that only the first two pay ranges were included and suggested that the third tier also be shown.

*Moved by Weir, seconded by Pederson, to authorize staff to advertise and conduct a search for Finance Director position, as amended. **Motion passed unanimously.***

## **VI. COMMENTS**

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

There were none.

### **B. Park Commission**

Scherer noted that the Park Commission would be holding their meeting the following evening.

### **C. Planning Commission**

Planning Commissioner Williams provided an update on the last meeting of the Planning Commission including a request for a text amendment to increase the maximum impervious coverage limits in the industrial park district, a text amendment to modify the parking regulations, and a text amendment to add accessory dwelling unit regulations within residential zoning districts. He noted that the first item would come before the Council tonight, while the other two items discussed would be reviewed by the Council at a future meeting.

## **VII. NEW BUSINESS**

### **A. Ordinance No. 511 Amending Section 833 of the Code of Ordinances Regarding Impervious Coverage Limits in the Industrial Park District**

Finke explained the request to increase the impervious coverage limits in the industrial park district. He noted that the request had been brought forward by Loram Maintenance of Way, Inc. to increase the impervious coverage limits from 50 percent to 60 percent. He advised that the Planning Commission discussed this request and actually recommended to increase the limit to 70 percent, rather than the 60 percent requested by the applicant. He displayed the maximum impervious coverage limits for all the zoning districts within the City and also compared that information with the limits used by other communities. He advised that staff also supports the increase to 70 percent as the limit would then compare to the other zoning districts, as well as surrounding communities.

Weir stated that she supported 70 percent, with proper storm water management.

*Moved by Weir, seconded by Pederson, to adopt Ordinance No. 511 Amending Section 833 of the Code of Ordinances Regarding Impervious Coverage Limits in the Industrial Park District. **Motion passed unanimously.***

### **B. Public Works Facility Financing**

Crosby stated that the Council and staff have been discussing a public works facility for the past six to seven years and noted that the item has been the topic of mailings and

public meetings. He advised that the step tonight would authorize background work which would need to occur in order to provide two options for financing the public works facility. He noted that the discussion tonight would focus on options for financing and tools that may be needed, including a Capital Improvement Program (CIP) and the establishment of an Economic Development Authority (EDA).

Reeder confirmed that the action requested tonight would only establish a public hearing.

Batty provided clarification regarding an EDA and the intention for that organization. He explained advantages of an EDA and explained that an EDA would be established through a Resolution passed following a public hearing. He noted that while some members of the Council must serve on the EDA, the entire Council could also be members of the EDA. He explained how an EDA is used as a tool for development.

Weir confirmed that an EDA could assist with bringing workforce housing to the City.

Crosby confirmed that Scott Johnson has experience with an EDA.

Batty highlighted items which would be included in a resolution which would establish an EDA, if that is desired, following a public hearing.

Crosby questioned the makeup of an EDA and whether members of the community would be able to join the EDA.

Batty explained that it has become common practice for the Council to serve as the EDA but confirmed that an EDA could be established allowing up to seven members which would include the five members of the Council and two additional members.

*Moved by Weir, seconded by Siitari, to set a Public Hearing on the enabling Resolution for the establishment of an Economic Development Authority for the City of Medina for September 20, 2011 and authorize appropriate hearing notices. **Motion passed unanimously.***

Reeder suggested that direction be given to staff to develop a CIP, which could be another financing option. He stated that the City currently has a long-range financial plan but explained that a CIP could be used as a financing tool for capital improvements. He explained that staff could prepare a CIP, which would be reviewed by the Council via a public hearing and, if desired, the CIP would then be adopted.

*Moved by Weir, seconded by Pederson, to direct staff to prepare a Capital Improvement Plan (CIP). **Motion passed unanimously.***

### **C. Award Contract for Hamel Field Lighting Improvement Project**

Scherer provided background information regarding the Hamel Field lighting improvement project. He explained that the first phase has been bid out and stated that staff recommends awarding the first phase of the project to the low bidder, Killmer Electric Company. He noted that the contract would also include alternates 1A and 3A. He stated that staff would also request to move forward with the service line and transformer installation with Xcel Energy. He explained that if the next grant is received, staff would then obtain bids for phase two.

Siitari questioned how Killmer was able to come in so much lower than other bidders.

Scherer stated that Bonestroo has verified the bid amount.

*Moved by Weir, seconded by Siitari, to award the contract to the low bidder and authorize staff to enter into contract with Killmer Electric Company for the Phase I bid amount of \$30,650 including the alternates 1A, 3A; and to authorize moving forward with service line and transformer installation with Xcel Energy. **Motion passed unanimously.***

Crosby questioned when the work would be completed.

Scherer hoped the project would be completed prior to ground freeze.

**D. Resolution No. 2011-75 to Contract with a Council Member**

Pederson stepped down from discussion, did not participate in discussion, and did not vote on this item.

Crosby explained that the City has previously rented with Highway 55 Rental and noted that Pederson is an owner of that business. Presently the City intends to rent equipment for Medina Celebration Day.

Batty explained that the Council cannot contract with anyone who can vote on the item. He advised that there are exceptions, including small amount contracts which do not have to be bid, but most contracts will need specific adoption. He further explained the process that would allow the City to continue to rent through that business even though Pederson has joined the Council.

Crosby confirmed that emergency rentals could still occur.

*Moved by Weir, seconded by Martinson, to adopt Resolution No. 2011-75 to Contract with a Council Member. **Motion passed 4-0 (Pederson abstained).***

**IX. CITY ADMINISTRATOR REPORT**

**A. City Hall Improvements**

Reeder advised that \$25,000 was budgeted for improvements to the City Hall building and noted that approximately \$6,000 to \$7,000 had been spent on improvements already. He provided a list of improvements which staff would like to complete with the remaining budgeted funds.

Scherer provided information regarding the carpeting currently installed.

*Moved by Weir, seconded by Siitari, to authorize staff to move forward with the list of City Hall improvements. **Motion passed unanimously.***

Reeder confirmed dates for upcoming Council weekend hours.

**IX. MAYOR & CITY COUNCIL REPORTS**

Crosby noted that this would be the last meeting for Reeder as Interim City Administrator and commended him for his assistance with the City. He believed that a Resolution should be drafted for the next meeting to recognize Reeder for his assistance. He noted that Reeder's experience could be beneficial to the City in the future and advised that Reeder would be willing to provide assistance to the City in the future if needed.

Reeder commented that it has been a pleasure to work with the City and commended the staff for their excellent work. He believed that the City is well served by the Council as well.

Crosby noted that the Annual Picnic at his home would be held the following Thursday.

Weir stated that she currently attends two watershed meetings, highlighting the increased contributions towards projects for improvement. She noted that the Council may want to review the CIP for the watersheds once those Plans are completed as the cost is becoming quite large.

Crosby commended Weir for her assistance with the watersheds on behalf of the City.

Martinson stated that she is the representative for the LMCC, which is considering obtaining bids for a fiber optic network, and noted that she is often not able to attend the meeting as it conflicts with Council meetings. She confirmed that she would verify if the resident who attended the meeting in her place would be willing to act as her alternate.

Pederson and Siitari commented on the recent meeting of the fire departments.

**X. APPROVAL TO PAY THE BILLS**

*Moved by Weir, seconded by Martinson, to approve the bills, EFT 001164E-001170E and 001250E-001267E for \$48,946.51 and order check numbers 037231-037278 for \$64,254.29, and payroll check 020348 for \$237.80 and payroll EFT 503673-503704 for \$45,475.34. **Motion passed unanimously.***

**XI. ADJOURN**

*Moved by Siitari, seconded by Weir, to adjourn the meeting at 8:27 p.m. **Motion passed unanimously.***

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T.M. Crosby, Jr., Mayor

Attest:

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Doug Reeder, Interim City Administrator