

## MEDINA CITY COUNCIL MEETING MINUTES OF OCTOBER 1, 2013

The City Council of Medina, Minnesota met in regular session on October 1, 2013 at 7:00 p.m. in the City Hall Chambers. Mayor Weir presided.

### **I. ROLL CALL**

**Members present:** Pederson, Martin, Martinson, and Weir.

**Members absent:** Anderson.

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

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

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

Johnson noted that the updates from the Parks and Planning Commissions were not included in the noticed agenda but should be included in the meeting.

The agenda was approved as amended.

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

#### **A. Approval of the September 17, 2013 Special City Council Meeting Minutes (7:01 p.m.)**

It was noted under fire services, item three, it should state, "...the city would look into the option of purchasing fire trucks."

*Moved by Pederson, seconded by Martinson, to approve the September 17, 2013 special City Council meeting minutes as amended. **Motion passed unanimously.***

#### **B. Approval of the September 17, 2013 Regular City Council Meeting Minutes (7:02 p.m.)**

It was noted on page two, line four, it should state, "...done in ~~better method to make a~~ manner that made better use of the parcel." On page two, line nine, it should state, "...~~their its...~~" On page two, line five, it should state, "...application ~~that~~ for the approval... ~~noncompliant nonconforming...~~" On page two, line 41, it should state, "...effect of infrastructure on stormwater management." On page three, lines 11-15, it should state, "...District's plan, ...completed in 2007,..." On page three, line 13, it should state, "She explained that the majority of the reduction in the TMDL's TMDLs were assigned the majority of the reduction to the cities..." On page four, lines 10-11, it should state, "...height of the windows – the building pad, that overlook existing houses to the north." On page four, lines 15-16, it should state, "...buffers as to.....signage along the narrow wetland buffers...." On page five, line 12, it should state, "...regarding the a raingarden in the cul-de-sac island." On page six, line 27, it should state, "...~~confirmed that inquired if.~~ On page six, line 27, it should state, "...~~the recipient of the letter~~ Scherer is aware of the issue." On page six, line two, it should state, "...relationship, passing the presented Resolution..." On page six, line 33, it should state, "Martin advised that she would forward her proofreading comments..." On page seven, line four, it should state, "...money on ~~that~~ the project, ..." On page eight, the following

statement should be added, "Martinson attended the Board of Appeal and Equalization training and was certified."

*Moved by Martin, seconded by Martinson, to approve the September 17, 2013 regular City Council meeting minutes as amended. **Motion passed unanimously.***

**V. CONSENT AGENDA (7:13 p.m.)**

- A. Resolution No. 2013-75 Recognizing Volunteers and Contributors to Medina Celebration Day
- B. Resolution No. 2013-76 Accepting Donations for Medina Celebration Day
- C. Resolution No. 2013-77 Approving Expenditures for the Lake Independence Outlet Project
- D. Approve Release of Escrow for Hamel Station
- E. Call for a Special Meeting on Wednesday, October 16, 2013 starting at 9:00 a.m. for Business Tours
- F. Resolution No. 2013-78 Accepting Donation from Hamel Volunteer Fire Department
- G. Resolution No. 2013-79 Accepting Donation from Loretto Volunteer Fire Department

*Moved by Pederson, seconded by Martinson, to approve the consent agenda as amended. **Motion passed unanimously.***

**C. Resolution No. 2013-77 Approving Expenditures for the Lake Independence Outlet Project**

Johnson noted that the engineering fees were not included in figures presented in the packet and provided the updated amount of \$16,809.77 that Medina would be responsible for with the outlet project, not including the cost of replacing the rotted weir.

*Moved by Martin, seconded by Pederson, to approve Resolution No. 2013-77 Approving Expenditures for the Lake Independence Outlet Project. **Motion passed unanimously.***

**VI. COMMENTS (7:15 p.m.)**

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

There were none.

**B. Park Commission**

Park Commissioner White advised that at the previous meeting the Commission reviewed two concept plans for the park to be located at the Fields of Medina. She noted that the Commission also conducted the D.R. Horton Stage One Plan review and ultimately recommended no park for that area and requested continuation of trails along roads.

**C. Planning Commission**

Finke advised that at the next meeting the Commission will conduct three public hearings. Beginning with the review of the D.R. Horton Stage One Plan, a variance request on subdivision, which the Council will discuss tonight, and a variance request from Lennar for a home built in the Enclave at Brockton.

**VI. PRESENTATION (7:18 p.m.)**

**A. Resolution No. 2013-80 Thanking Steve Lundell for his Years of Service to the Medina Police Reserves**

Belland reported that Steve Lundell began with the Medina Police Reserves in 1999 and highlighted aspects of his time with the City. He stated he has been an integral part of the department and has been at every City event, as well as coordinating reserves for events in neighboring cities. He noted that Lundell has logged over 15,000 hours of service to the City and thanked him for his time. He advised that Lundell has been an asset not only to Medina but also to neighboring communities and his presence will be missed.

Weir read the Resolution thanking Steve Lundell for his years of service to the Medina Police Reserves.

Belland noted that there is a reception for Mr. Lundell at the Hamel Community Center following the meeting, at which everyone is welcome.

*Moved by Martin, seconded by Pederson, to approve Resolution No. 2013-80 thanking Steve Lundell for his years of service to the Medina Police Reserves. **Motion passed unanimously.***

**VIII. NEW BUSINESS**

**A. Letter Supporting Discontinuance of Hennepin County Soil and Water Conservation District Transfer of Duties (7:24 p.m.)**

Johnson introduced Joel Settles from Hennepin County.

Joel Settles reported that Hennepin County previously decertified the Hennepin County Soil and Water Conservation District in the past but noted that the County continued to provide some services at the request of communities. He advised that most of the District staff became County staff after the decertification and has continued their employment for the past ten years. He noted that three functions were not able to be transferred from the District and therefore the District continued to support those functions. He advised that in 2006 the District had used their banked funds and has asked the County to incorporate the remaining functions through Cooperative Agreements, which are required annually. He explained that in 2012 it became apparent that the administrative costs to keep the District open exceed the benefit provided through the remaining functions. He advised that Hennepin County must petition BWSR to transfer the remaining functions from the District and noted that a letter of support from Pioneer Sarah Creek Watershed District has been received.

Weir noted that Elm Creek Watershed District also supports this request. She advised that this is simply another layer of government, which is not required and explained that the funds that will be saved through this action could then be put to better use.

*Moved by Pederson, seconded by Martin, to approve the letter supporting discontinuance of Hennepin County Soil and Water Conservation District transfer of duties. **Motion passed unanimously.***

Weir confirmed that it would be helpful for a representative from the City to attend the meeting to voice the support of the City.

**B. Brede Estate – Preliminary and Final Plat – 2929 and 2921 Lakeshore Avenue and Adjacent Property to the South (7:34 p.m.)**

Finke advised that the request for Preliminary and Final Plats relate to 1.5 acres of property along Lakeshore Avenue. He advised that on the northern most portion of the property there is a cabin and garage, while the southern portion of the lot is heavily wooded and sits upon a bluff. He stated that the request before the Council would be to create two lots that conform to the City standards. He noted that the additional right-of-way required by the City would cause the garage to become nonconforming. He stated that staff talked with the applicant and the applicant has submitted a variance request that will be heard by the Planning Commission at their next meeting. He confirmed that the garage will still be at the same distance from the road but would become nonconforming because of the right-of-way. He noted that some time in the past the City vacated 10 feet of right-of-way, which is probably why the garage was built in that location.

Weir questioned if there was an opportunity to solve a drainage problem existing in that area.

Finke stated that staff does not believe that this request would trigger the stormwater requirements of the City but noted that one condition of the development of lot two would be to address the drainage issue. He stated that the Planning Commission reviewed the issue and recommended unanimous approval.

Weir stated that this appears to be an improvement from the substandard lots, which exist today.

*Moved by Pederson, seconded by Martinson, to direct staff to prepare a resolution of approval based upon the findings, and subject to the conditions, described in the staff report. **Motion passed unanimously.***

## **IX. CITY ADMINISTRATOR REPORT**

### **A. Business Tours (7:43 p.m.)**

Johnson reviewed the draft agenda for the business tours, which will take place on Wednesday October 16<sup>th</sup>.

Weir stated that normally the tours begin earlier in the morning and noted that these tours are scheduled to begin at 9:00 a.m.

Pederson noted that Highway 55 Rental is open at 7:30 a.m. and the tour could begin at that location prior to 9:00 a.m.

Martin suggested beginning the tour with Highway 55 Rental at 8:00 a.m.

Johnson noted that he could adjust the tour schedule accordingly.

*Moved by Martin, seconded by Peterson, to amend the start time for the business tours to 8:00 a.m. on October 16, 2013. **Motion passed unanimously.***

### **B. Celebration Day (7:45 p.m.)**

Johnson thanked Linda Lane for all of the time and effort she contributed for Celebration Day. He also thanked all of the other staff, volunteers, and businesses who made this year's event great.

Weir commented on the success of the event and thanked all of the businesses that donated funds or services to the event.

**C. Mediacom (7:47 p.m.)**

Johnson noted that he had recently had discussions with Mediacom regarding the services needed at City Hall and the Public Works/Police facility. He noted that the connection of services at the Public Works/Police facility must occur by October 28, 2013 and therefore asked the Council for approval to negotiate an agreement with Mediacom, not to exceed \$5,280 per year for the service.

*Moved by Martinson, seconded by Martinson, to the City Administrator to negotiate an agreement with Mediacom not to exceed \$5,280 per year. **Motion passed unanimously.***

**X. MAYOR & CITY COUNCIL REPORTS (7:49 p.m.)**

Pederson commented on the success of Celebration Day and also commended staff on the construction progress with the Public Works/Police facility.

Martin stated that she also enjoyed Celebration Day.

Weir advised of a recent conversation regarding affordable housing and noted that she referred the interested party to staff. She advised of a recent meeting regarding a potential park and pool facility to be located on the excess Target parking. She noted that the local Target staff is speaking with corporate personnel to determine if that would be an option.

Martin questioned if the Council could petition the Met Council to invest in a park and ride within Medina. This item will be discussed further with Met Council Representative Katie Rodriguez at the October 15, 2013 Council Work Session.

**XI. APPROVAL TO PAY THE BILLS (7:54 p.m.)**

*Moved by Martin, seconded by Pederson, to approve the bills, EFT 002285E-002300E for \$40,271.26 and order check numbers 040229-040286 for \$628,438.80 payroll EFT 505211-505234 for \$42,504.65. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Martinson, seconded by Pederson, to adjourn the meeting at 7:54 p.m. **Motion passed unanimously.***

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Elizabeth Weir, Mayor

Attest:

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Scott Johnson, City Administrator