

## MEDINA CITY COUNCIL MEETING MINUTES OF NOVEMBER 22, 2010

The City Council of Medina, Minnesota met in regular session on November 22, 2010 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

### I. ROLL CALL

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

**Members absent:** Johnson

**Also present:** City Attorney Ron Batty, Police Chief Ed Belland, City Planner Dusty Finke, Public Works Superintendent Steve Scherer, and City Administrator Chad Adams.

### II. PLEDGE OF ALLEGIANCE

### III. ADDITIONS TO THE AGENDA

*The agenda was accepted as presented.*

### IV. APPROVAL OF MINUTES

#### A. Approval of the November 8, 2010 Regular City Council Meeting Minutes

Adams noted that grammatical and technical corrections could be submitted to him or via email.

It was noted on page four, line 35, it should state: "...are that would meet the Metropolitan Council density requirements in our comprehensive plan..." On page five, line 16, it should state, "...by following the line that most impacts the neighboring community." "...loss of two home sites, rather than the nine staff proposed." On page six, line 12, it should state, "...is has been used in this the metropolitan area." On page six, line 14, it should state "Smith said this is good management ~~compromise~~ incorporating compost and deep-tilling..." On page six, line 23, it should state, "Weir asked if metering outside watering use this system would reduce water use in the City." On page six, line 49, it should state, "...agreed this would be a lower cost than installing a well." On page eight, line 35, it should state, "She commended the applicant for their work with staff to date in order to meet our ordinances." On page eight, line 45, it should state, "...who has owned the Nolan five acres for the 25 years." On page nine, line 43, it should state, "Crosby asked about the planning rationale for access..." On page ten, line nine, it should state, "Weir asked if noted that Toll Brothers is offering money for neighboring lots in order to redevelop that land. If some future developer may try were to do the same in the Elm Creek neighborhood, it which may result in many more cars on at the Elm Creek intersection." On page ten, line 19, it should state, "...landownership issues for over 40 years, planning should not be altered to address it." On page ten, line 29, it should state, "... was split 40 years ago, we would now be dealing with a five acre parcel." On page ten, line 49, it should state, "...road connections..." On page 11, line 30, it should state, "...with the edges reserved for denser sewerred housing." On page 11, line 41, it should state, "...grass should be fine if hand watered with a hose." On page 11, line 46, it should state, "...line" shown on the exhibit..." On page 12, line 19, it should state, "...excess replacement tree plantings will be made on site." On page 12, line 31, it should state, "Crosby asked if suggested that affordable units be a factor..." On page

13, it was noted that the minutes followed agenda and not the presentation, in example lines 36 through 49, and the minutes should reflect how the meeting transpired. On page 14, line 15, it should state, "...open ~~contest~~ issue." On page 14, line 20, it should state, "topographical data..." On page 15, line 50, it should state, "...parking is just an area for two to three cars..." On page 16, line 33, it should state, "...the other information was taken out of context without a comparable range of salaries." On page 16, line 42, it should state, "Crosby said the city ~~is also~~ in considering a giving cost of living increase was given data from 146 other communities..." On page 16, line 46, it should state, "...~~waste~~ water management..." On page 16, line 47, it should state, "...which will prove to be very costly."

*Moved by Smith, seconded by Weir, to approve the November 8, 2010 Regular City Council meeting minutes as amended. **Motion passed unanimously.***

## V. CONSENT AGENDA

- A. ~~Approve ISDN PRS, DSS Advanced or UAS Bulk Rated Agreement with Qwest~~
- B. Approve Snow Removal Services Agreement with Designating Nature Inc.
- C. Approve Geotechnical Services Agreement with Northern Technologies, Inc. (for Hunter Dr. S)
- D. Approve Geotechnical Services Agreement with Northern Technologies, Inc. (for Hunter Dr. N)
- E. Approve Medina Morningside Well No. 1 Repair Services Agreement w/Bergerson-Caswell, Inc.
- F. Approve Amendment 1 to Residential Recycling Grant Agreement with Hennepin County
- G. Approve Amendment to City Capitalization Policy
- H. Resolution Granting Preliminary Plat Approval for Fortuna Farms, Located at 1425 Tamarack Dr.
- I. Resolution to Amend and Restate Flexible Spending Account Plan
- J. Resolution to Amend and Restate Health Reimbursement Arrangement Plan
- K. Resolution Authorizing Execution of Safe and Sober Communities Agreement

Crosby asked to remove item A (Approve ISDN PRS, DSS Advanced or UAS Bulk Rated Agreement with Qwest) from the consent agenda.

Adams noted that some technical changes had been made to some items on the consent agenda.

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

- A. Approve ISDN PRS, DSS Advanced or UAS Bulk Rated Agreement with Qwest

Crosby stated that he had read through the Qwest contract and expressed concern with the length of the contract and penalty for early cancelation. He stated that he would like to empower Adams to negotiate with Qwest to possibly obtain cancelation without penalty in the future.

Adams advised that the agreement is drafted as is because it's a bulk rate agreement, which is resulting in savings of over \$600 per month to the City. He stated Staff has discussed the terms with Qwest and they have stated we can opt the non-bulk rate agreement instead. Adams added that the service agreement would transfer to another property if City facilities were to move in the next five years. He noted that he would double check with Qwest on the contract penalty.

*Moved by Weir, seconded by Smith, to approve ISDN PRS, DSS advanced or UAS bulk rated agreement with Qwest, with direction for staff to attempt to negotiate further in regard to cancelation penalties after 12 months of service. **Motion passed unanimously.***

## **VI. PRESENTATIONS**

### **A. Minnesota GreenStep Cities Program – Phillip Muessig, Minnesota Pollution Control Agency (MPCA)**

Phillip Muessig, MPCA, provided background information regarding the Minnesota GreenStep Cities program. He advised that this program would assist cities in reaching the goal for green energy for the future. He stated that this program not only works with energy but also works with other functions, such as water or transportation. He advised that the program is based on best practices. He summarized the items that would be required for a city to be recognized as a GreenStep City and noted that progress could be tracked via their website. He noted that this program would not fund improvements but could help to challenge and assist cities.

Crosby stated that the City of Medina already takes action in most of the 28 listed items for this program and questioned what assistance this program would provide. He believed that this program would be more beneficial in cities which are not as environmentally conscious.

Phillip Muessig commended Medina for the work already in progress but believed that additional information and challenges could be provided through this program.

Amir Nadav, resident of Eagan, provided background information regarding the environmental aspects of the City of Eagan's environmental commission and how the City joined the GreenStep Cities program. He explained how the program has helped Eagan and how the program could assist other cities.

Smith noted that this program could be used as a resource and believed that cities should challenge themselves.

Crosby stated that he believed staff should review the actual amount of staff time that would be required to participate in this program.

Melissa Martinson noted that she would be joining the City Council in January and questioned if standards needed to be met or an item simply needed to be implemented.

Phillip Muessig noted that some items are quantifiable and advised that there are options within each best practice.

Adams noted that further discussion on this program would be planned for the Council's goal setting session in January or February 2011.

## **VII. COMMENTS**

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

There were none.

### **B. Park Commission**

Park Commissioner Chris Hilberg advised that the Commission had met the previous week and discussed a request from an Eagle Scout. He noted that the identified project was to build a pavilion at Holy Name Park and advised that the consensus was that while the project was liked by the Commission the issue of available funding was discussed. He noted that a member of the Park Commission and staff would develop a policy for dealing with requests of this nature. He advised no formal action was taken and noted that the request would come back before the Commission in the future.

Crosby advised that the Council had already discussed this item at a previous meeting and relayed the position of the Council, which was that any project to be so considered should be in the existing capital improvement plan.

Hilberg noted that Scherer had expressed those thoughts to the Park Commission as well.

Smith suggested reviewing the previous Park Commission and Council minutes to determine why the item had originally been removed from the Parks CIP.

Hilberg advised that the Commission had also discussed the issue of park dedication with the Enclave of Medina development and provided an update on the issue.

### **C. Planning Commission**

Planning Commissioner Kathleen Martin noted that the Commission held a meeting on November 9, 2010 and discussed a comprehensive plan amendment requested by two neighbors. She advised that the residents would like their property to be zoned as agricultural preserve. She reviewed the discussion of the Commission and noted that the Commission recommends approval of the request to the City Council.

## **VIII. NEW BUSINESS**

### **A. Resolution Establishing Municipal State Aid Streets**

Finke advised that the Council had previously approved a map designating the MSA routes. He noted that in working with adjacent cities all the necessary documentation and approval had been obtained, and advised that the City must approve this resolution to submit to the State for formal approval.

*Moved by Smith, seconded by Weir, to approve the resolution establishing municipal state aid streets. **Motion passed unanimously.***

### **B. Housing Action Plan**

Finke provided background information regarding this item and noted that the Council adopted a resolution to participate in the local housing incentive program in August of

2010. He stated that as a condition of participation the City is required to adopt the goals of the Metropolitan Council, which has been done. He advised that the City must also establish a draft housing plan in order to participate in the program and noted that staff did complete a draft housing plan for the Council to review and approve tonight. He then summarized the draft housing action plan for the Council, explaining how the City would work towards the goals adopted in August through policies and actions.

Crosby suggested alternate language in regard to the fee schedule.

Finke noted that the housing action plan of the City could exceed the minimums expressed by the Met Council and explained the different ways in which the plan could exceed the minimum requirements. He advised that the draft housing action plan presented would meet the minimum requirements of the Met Council.

Crosby noted that the Council should first approve this draft housing action plan to be eligible for grant funding and advised that the document could be amended in the future.

*Moved by Smith, seconded by Weir, to approve the Housing Action Plan with the revisions to zoning flexibility and alternative language in regard to the fee schedule.*

***Motion passed unanimously.***

#### **IX. CITY ADMINISTRATOR REPORT**

##### **A. Schedule Special Council Meeting on December 7, 2010**

*Moved by Weir, seconded by Siitari, to schedule a special Council meeting on December 7, 2010 at 6:00 p.m. **Motion passed unanimously.***

#### **X. MAYOR & CITY COUNCIL REPORTS**

Weir stated that she and Adams would present something to the Council in the future on methods and options for funding the Elm Creek and Pioneer-Sarah Creek Watershed Commissions capital improvement plans.

Crosby stated that the annual holiday party/celebration of service banquet would be held on December 2, 2010 at 5:00 p.m.

#### **XI. APPROVAL TO PAY THE BILLS**

*Moved by Smith, seconded by Weir, to approve the bills, EFT 000895-000918 for \$71,392.23 and order check numbers 036171 and 036209-036267 for \$108,144.79, and payroll EFT 503121-503151 for \$45,433.29 and payroll checks 020260-020295 for \$3,107.81. **Motion passed unanimously.***

#### **XII. CLOSED SESSION: ACQUISITION OF PROPERTY**

The meeting adjourned to closed session to discuss the acquisition of property at 1600 Prairie Drive at 8:46 p.m.

The Council entered open session at 9:02 p.m.

#### **XIII. CLOSED SESSION: LABOR NEGOTIATIONS**

The meeting adjourned to closed session to discuss labor negotiations at 9:03 p.m.

The Council entered open session at 9:19 p.m.

Crosby announced that City Administrator Adams was provided with direction to proceed with discussions on the acquisition of property at 1600 Prairie Drive.

Crosby announced that City Administrator Adams and Police Chief Ed Belland were provided with direction to discuss an amendment to the current Police labor agreement.

**XIII. ADJOURN**

*Moved by Weir, seconded by Siitari to adjourn the meeting at 9:20 p.m. **Motion passed unanimously.***

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T.M. Crosby, Jr., Mayor

Attest:

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Chad M. Adams, City Administrator-Clerk