

MEDINA CITY COUNCIL MEETING MINUTES OF DECEMBER 20, 2011

The City Council of Medina, Minnesota met in regular session on December 20, 2011 at 7:01 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

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

Members absent: Pederson.

Also present: City Attorney Ron Batty, Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Scott Johnson, and Recording Secretary Amanda Staple.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

Johnson requested to organize the New Business portion of the agenda

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

IV. APPROVAL OF MINUTES

A. Approval of the December 6, 2011 Regular City Council Meeting Minutes

It was noted on page three, line 46, it should state, "discussed at a 2007 public meeting..." On page three, lines 33 and 36, it should state, "...~~Galalus~~ Calamus..." On page four, lines 12 or 13, it should state, "...~~Medina staff are still the lowest, or second lowest, paid staff of the comparison group still has among the lowest per capita fully burdened staffing costs.~~" On page five, line 10, it should state, "...~~in as~~..." On page six, line 20, the following sentence should be added, "After discussion the Council directed Johnson to conduct studies with the city of Independence, and other involved parties, at no cost to the city of Medina in order to provide more facts upon which a decision could be made." On page six, line 21, it should state, "~~Crosby noted that~~ The details of such study could be worked out between staff from Medina and Independence." On page six, line six, it should state, "...~~Wank~~ Wenck..." On page four, line 49 and page five, line 36, it should state, "...~~Galsus~~ Kaltsus..." On page eight, line 38, it should state, "...would ~~all~~ require all..." On page nine, lines 13 and 14, it should state, "~~He stated that he would~~ could be in favor of six lots, possibly increased to seven lots."

*Moved by Weir, seconded by Martinson, to approve the December 6, 2011 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Approve 2012 Tobacco License Renewals

B. Approve Hamel Legion Park Concession Services Agreement with Church of St. Anne

C. Approve Engineering Agreement with WSB

D. Approve Change Order No. 1 for Hunter Drive North Road Improvement Project

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

Crosby discussed item B, regarding the concession services agreement, and confirmed that although fees are not paid to the City through this agreement, fees are obtained through a surcharge fee paid by the Hamel Athletic Association for baseball players using the fields.

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer reported that the Park Commission would be meeting the following night and noted that the grant funds for ball field lighting were not awarded to Medina. He hoped that the Park Commission and the Athletic Association could develop a plan B. He noted that a proposed lot split would also be discussed at the meeting.

C. Planning Commission

Planning Commissioner Robin Reid provided an update of the previous meeting, at which three public hearings took place. She summarized the public hearings and discussion which took place including a proposed lot split, a request for a variance from a rear lot line setback to rebuild a swimming pool, and for proposed revisions to the Sign Ordinance.

VII. OLD BUSINESS

A. Resolution No. 2011-106 Granting a Private Kennel License to Hanna Buckley at 1822 Morgan Road

Crosby stated that two resident letters were received in regard to this request, which had been distributed to the Council. He requested to amend the number of dogs allowed on the property from eight to six. He stated that in prior circumstances where the Council has approved more than the allowed number of dogs there had been support from the neighborhood, whereas in this situation there are comments against the request from the neighborhood. He was also unsure if the construction of a privacy fence should be directed.

Martinson confirmed that some of the neighbors were not in favor of a privacy fence.

Weir stated that she had been to the property and confirmed that Hanna Buckley stated the dogs are not on the property during the summer.

Finke confirmed that a containment fence is specified in the conditions and condition four, regarding the privacy fence, could be removed. He clarified that the Council, if approving six dogs, would only be allowing one additional dog for which these conditions would be applied.

Batty provided additional information regarding licensing and the ability to revoke the license if necessary. He confirmed that the license could be revisited in one year to determine if all aspects are working well.

Crosby suggested language which could be used in regard to the possible requirement of a privacy fence.

Siitari commented that there are a lot of conditions for just one extra dog and noted that several of the conditions are already listed in the Ordinance.

Nancy Curry stated that she was present to gain additional information regarding dog licensing, in case she would like to apply for a license in the future.

Crosby explained the process for licensing dogs and provided background information regarding this specific request.

*Moved by Weir, seconded by Siitari, to approve Resolution No. 2011-106 Granting a Private Kennel License to Hanna Buckley at 1822 Morgan Road, which allows up to six dogs, as amended. **Motion passed unanimously.***

VIII. NEW BUSINESS

A. 2012 Rates for Prosecuting Attorney

Johnson stated that staff received a letter from Steve Tallen requesting to increase the hourly rate for prosecuting services, from \$118 to \$125 per hour. He noted that he did speak with Belland and Belland did not oppose the increase, or see any problem fitting that increase into the budget.

Crosby explained that the services provided by Tallen are different than the services provided by Batty. He estimated that half of the services charged by Batty in 2010 were reimbursable by fees paid by an applicant. He explained that fees for engineering are also reimbursable by fees paid through the applicant. He stated that Tallen only has one rate which is charged and the services are not reimbursable by an applicant. He did not oppose the increase.

Batty commented that the City is getting a great attorney for the proposed increased rate.

*Moved by Weir, seconded by Martinson, to approve the proposed changes to Tallen and Baertschi rates for 2012 prosecution services. **Motion passed unanimously.***

B. Ordinance No. 515 Establishing Fields of Medina Storm Sewer Improvement Tax District

Johnson explained the process that the City has followed in the past for storm sewer improvements. He advised that if the developer does not follow up with improvements, the City is able to establish a storm sewer improvement tax district, specific to that development in order to make those improvements.

Crosby opened the public hearing at 7:45 p.m.

*Moved by Weir, seconded by Siitari, to close the public hearing at 7:45 p.m. **Motion passed unanimously.***

Finke questioned if the filing of the plat should also be listed as a condition.

Batty explained that condition could be added to the Ordinance, or the action for this item could be delayed until the filing of a final plat is approved.

Crosby stated that he would prefer to add the requirement specifying the filing of the plat.

*Moved by Weir, seconded by Siitari, to approve Ordinance No. 515 Establishing Fields of Medina Storm Sewer Improvement Tax District, as amended. **Motion passed unanimously.***

1. **Resolution No. 2011-107 Authorizing Publication of Ordinance by Title and Summary**

*Moved by Weir, seconded by Siitari, to approve Resolution No. 2011-107 Authorizing Publication of Ordinance No. 515 by Title and Summary. **Motion passed unanimously.***

C. Ordinance No. 516 Amending Fee Schedule

Johnson briefly highlighted the items which are proposed to be amended.

Weir referenced the section for grading permits and discussed violations.

Finke noted that language is spelled out in other Ordinances and would not need to be included in this Ordinance.

Crosby referenced the fees for the German Liberal Cemetery and confirmed the rate for non-residents. He questioned whether the rate of interest was appropriate for the delinquent utility rate charges. He asked that Batty review the requirements to ensure that rate of interest can be charged to delinquent utility bills.

1. **Public Hearing on Zoning Fees**

Crosby opened the public hearing at 7:56 p.m.

No comments were made.

*Moved by Weir, seconded by Martinson, to close the public hearing at 7:56 p.m. **Motion passed unanimously.***

*Moved by Weir, seconded by Siitari, to approve Ordinance No. 516 Amending the Fee Schedule. **Motion passed unanimously.***

1. **Resolution No. 2011-108 Authorizing Publication of Ordinance by Title and Summary**

*Moved by Weir, seconded by Martinson, to approve Resolution No. 2011-108 Authorizing Publication of Ordinance No. 516 by Title and Summary. **Motion passed unanimously.***

D. Schedule Special Meeting for Annual Goal Setting Session

*Moved by Siitari, seconded by Weir, to call for a Special City Council Meeting on January 17, 2012 at 2:00 p.m. **Motion passed unanimously.***

IX. CITY ADMINISTRATOR REPORT

Johnson stated Mayor Crosby received news from Hennepin County Commission Jeff Johnson regarding a temporary light which will be constructed at Hackamore and 116.

Crosby briefly summarized the meeting which took place and explained that although the light is titled temporary, there are temporary traffic lights which have been in place for 20 years and do not look different than permanent lights. He stated that the estimate was for the light to be in place this spring prior to the resurfacing of Highway 55.

X. MAYOR & CITY COUNCIL REPORTS

Crosby provided an update on the Fire Report meeting which took place the previous week and had been noticed as a special Council meeting since all members of the Council attended. He stated that the Report was presented and the ultimate recommendation is that a merger between the Hamel and Loretto Fire Departments is feasible. He also noted that he was present the previous weekend for office hours and a resident did visit him to discuss trapping in regarding to the newly passed Hunting Ordinance. He confirmed that City Hall would be closed the next two Mondays for the Christmas and New Years' Holidays.

XI. APPROVAL TO PAY THE BILLS

Johnson noted a correction which was applied to a specific bill.

*Moved by Weir, seconded by Siitari, to approve the bills, EFT 001427E-001454E for \$51,127.44 and order check numbers 037717-037784 for \$312,866.33, and payroll EFT 503931-503961 for \$44,965.11, as amended. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Weir, seconded by Siitari, to adjourn the meeting at 8:07 p.m. **Motion passed unanimously.***

T.M. Crosby, Jr., Mayor

Attest:

Scott Johnson, City Administrator