

## MEDINA CITY COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

The City Council of Medina, Minnesota met in regular session on February 17, 2015 at 7:00 p.m. in the City Hall Chambers. Mayor Mitchell presided.

### **I. ROLL CALL**

**Members present:** Cousineau, Pederson, Martin, and Mitchell.

**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, Chief of Police Ed Belland, and Recording Secretary Amanda Staple.

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

### **III. ADDITIONS TO THE AGENDA (7:02 p.m.)**

The agenda was approved as presented.

### **IV. APPROVAL OF MINUTES (7:02 p.m.)**

#### **A. Approval of the February 3, 2015 Regular City Council Meeting Minutes**

It was noted on page four, line 13, it should state, "...will most likely occur on its own the new stalls most likely will be used." On page four, line 41, it should state, "...applicant's applicant's. On page five, line 10, it should state, "She stated that whether She stated that regardless if..." On page five, line 25, it should state, "...business calls answered by the department."

*Moved by Pederson, seconded by Martin, to approve the February 3, 2015 regular City Council meeting minutes as amended. **Motion passed unanimously.***

### **V. CONSENT AGENDA (7:04 p.m.)**

- A. Approve Street Sweeping Services Agreement with Carefree Services Inc.**
- B. ~~Approve Specifications and Authorize Advertisement for Bids for the Park at Fields of Medina~~**
- C. ~~Approve Purchase of Vehicle for the West Metro Drug Task Force~~**
- D. ~~Approve Upland Buffer Easement Agreement with Daniel W. Munsell~~**
- E. Resolution No. 2015-17 Authorizing Proposal for the Ardmore Subwatershed Retrofit Assessment**
- F. Resolution No. 2015-18 Granting Extension of Time to File the Plat of Woodland Hill Preserve Amending Resolution 2014-76**

*Moved by Pederson, seconded by Cousineau, to approve the consent agenda. **Motion passed unanimously.***

### **VI. COMMENTS (7:07 p.m.)**

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

There were none.

**B. Park Commission**

Scherer reported that the Commission's next meeting will feature a presentation from a representative of Three Rivers Park District regarding trails and discussion of park dedication from a PUD request.

Mitchell referenced the issue of snow removal for four season trails and the burden that places on City staff. He believed that the Park Commission should discuss that matter.

**C. Planning Commission**

Planning Commissioner Reid stated that the Commission met the previous week to hear three requests including a conservation design PUD request, noting that the Commission heard input from residents both in favor and against the proposal. She advised that no action was taken because this was a review of a Concept Plan and noted that the Commission therefore only provided input. She stated that the Commission considered three requests from Wealshire of Medina for a memory care facility and reported that the Commission recommended unanimous approval of all three requests. She stated that the Commission also continued a public hearing regarding solar equipment and advised that resident input was gathered and the Commission recommended that ground mounted solar equipment be allowed within the business and industrial park zoning districts. She stated that there was support for solar from residents in attendance for use within the residential zoning district but advised that the Commission believes additional input from residents should be obtained prior to changing the regulations in that zoning district.

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

**C. Approve Purchase of Vehicle for the West Metro Drug Task Force**

Belland reported that the Task Force has been in place since 2003 and the majority of the vehicles used by that group are obtained through forfeiture. He stated that one of the vehicles used would need repairs in excess of the vehicle value and there are no available vehicles in forfeiture, which is why a different vehicle will be needed.

Mitchell asked and received confirmation that the vehicle value would be approximately \$7,000.

Johnson advised that the funds used to purchase the vehicle would come from the Drug Task Force fund.

*Moved by Cousineau, seconded by Pederson, to approve the purchase of vehicles for the West Metro Drug Task Force. **Motion passed unanimously.***

**D. Approve Upland Buffer Easement Agreement with Daniel W. Munsell**

Martin questioned if Mr. Munsell's spouse should be listed on the agreement as well.

Batty stated that Mr. Munsell is in title individually.

*Moved by Martin, seconded by Cousineau, to approve the upland buffer easement agreement with Daniel W. Munsell. **Motion passed unanimously.***

**B. Approve Specifications and Authorize Advertisement for Bids for the Park at Fields of Medina**

Johnson presented two additional items at the dais including a professional services amendment and the plans prepared by WSB.

Kellogg stated that the original plans were prepared one year ago and included a total project cost estimate of \$27,000. He stated that the project moved forward but was not completed last year and reviewed the remaining work to be completed this year. He stated that this proposal includes preparation of the bid package for the remaining work to be completed this year along with the additional professional services that would be necessary from WSB. He stated that there is a credit of \$4,000 from the previous year's budget for the project, which will be credited against this total. He noted that there are areas where public works could complete some of the work in order to obtain cost savings.

Martin inquired if the hard construction costs had been budgeted for originally but there are additional costs due to the project occurring over two construction seasons. She questioned how much over budget the project will be.

Scherer stated that he did not believe that the project was over budget, this was simply a change in the service agreement.

Pederson questioned in which areas cost savings could be gained through the use of public works.

Kellogg noted that some of the inspection services could be completed by public works and noted that if a good contractor is chosen and the project moves quickly there would be additional cost savings.

*Moved by Martin, seconded by Pederson, to approve the specifications and authorize advertisement for bids for the park at Fields of Medina, with the recommendation that Public Works completes the amount of work possible, and the professional services amendment. **Motion passed unanimously.***

## **VII. PRESENTATIONS**

### **A. Fire Department Annual Reports (7:27 p.m.)**

Belland introduced the Fire Chiefs from each of the four fire departments that serve Medina to provide their annual reports.

Chief Eisinger, Maple Plain Fire Department, summarized the total number and type of services calls during 2014 for the department and specifically within Medina. He provided additional information on the number of firefighters in his department and the amount of hours logged for the department during 2014 by category. He provided the average response time for the department for each of the cities the department services.

Mitchell appreciated the highlights of a very lengthy and complete annual report. He questioned if the Chief is satisfied with the health of his department.

Eisinger stated that things are going very well in his department. He also reviewed some of the mutual aid cities that the department responds to.

Mitchell asked if the department is satisfied with their current facility and equipment.

Eisinger reported that the department is satisfied in their current location and highlighted some of the equipment the department possesses.

Pederson questioned how often the ladder truck is used and whether that is used for mutual aid.

Eisinger advised that the ladder truck is typically the first truck reporting for a structural fire and confirmed that vehicle also is used for some mutual aid responses.

Chief Ruchti, Hamel Fire Department, reported that the total number of calls for the department and specifically within Medina. He provided the percentage of calls received by category and the average response times as well as the number of firefighters within the department. He highlighted the total number of hours logged for the department during 2014 as well as accomplishments for the year.

Mitchell asked similar questions to Chief Ruchti regarding the status and needs for the department.

Ruchti stated that the department is functioning well but long-term would like a larger space, as they have been in their current space since 1967.

Martin referenced the response time and questioned if there is a higher response time when traveling to the north end of Medina compared to the south end because of the station location.

Ruchti reported a response time of 5 minutes, 18 seconds for the south end of Medina compared to a response time of 5 minutes, 39 seconds for the north end of the city.

Martin noted the type of service calls, which occurred in Medina during 2014, specifically the fire calls and questioned how often the department relied on mutual aid for the 15 fire calls.

Ruchti did not have the exact figure but believed approximately 35-50 percent of the fire calls utilized mutual aid. He believed that two of the fire calls required bringing in another city for use of their ladder truck.

Chief Van Eyll, Long Lake, stated that his report includes detailed information and he would simply like to summarize the highlights. He advised that all the members of the department became blue card certified, which requires an additional 66 hours of training for each member in addition to the yearly required training. He highlighted the partnerships made with the four fire departments present tonight, as well as another agreement with Health Partners to promote physical wellness. He stated that the department turns 100 this year and therefore the plans for a centennial celebration have begun for the event, which will occur on September 19<sup>th</sup>. He also highlighted the technology updates that have been made to the facility and equipment.

Pederson questioned how well the iPad technology has been working.

Van Eyll responded that the smartphone technology has been working well for those who use that technology. He explained that when the responder opens the call for

service on their smartphone they are able to mark whether or not they will be responding and the other responders are also able to see those responses in real time. He confirmed that there are two stations within Long Lake and that the firefighters are split between those facilities. He stated that the department has been very lucky with the buildings that they have, noting that one building is debt free while Orono shoulders the debt for the other building. He echoed the comments that the department moral is positive.

Martin questioned the number of calls received specifically for Medina.

Van Eyll provided that information.

Pederson questioned if the stations are drive-through stations.

Van Eyll reported that station one is a drive-through station while station two is not.

Chief Leuer, Loretto Fire Department, provided a copy of the written annual report to the members of the Council. He reported a total of 52 calls responded to in Medina during 2014 and also provided the response times. He provided the current number of members for the department, noting that the department is almost fully staffed. He stated that there was an aggressive training schedule during 2014 and reviewed the equipment upgrades that will be done. He stated that the department is looking to move forward with a new station in 2017 and advised that the previous year he was successful in gaining additional legislative funds.

Pederson asked for additional information regarding the new facility.

Leuer stated that the department currently services portions of five cities within 39 square miles and the station is very tight. He stated that the department is working on a feasibility study and financial impact study to determine the impact to the member cities. He advised that Corcoran is also interested in partnering with the department to create a new station. He reported that department moral is positive, noting that there are several younger members in the department. He confirmed that his department also utilizes the smartphone technology and find it very useful.

Martin thanked all the Fire Chiefs for their reports and the services provided by their departments not only to Medina but the surrounding communities.

Mitchell stated that there has been talk in the past about merging and suggested instead using the term fire district with each of the departments keeping their own name. He thanked the Fire Chiefs and their departments for their services.

## **VIII. NEW BUSINESS**

### **A. Ordinance No. 576 Related to Solar Equipment; Amending Chapter 8 of the City Code (7:57 p.m.)**

Finke stated that the Council discussed the current solar ordinance specifically because of a request from Wright Hennepin Cooperative regarding the possibility of installing ground-mounted equipment on their property in Medina. He stated that the Council seemed in agreement to discussing the possibility of allowing ground mounted solar equipment. He reported that the Planning Commission held two public hearings, in

January and February, to discuss solar energy and recommended allowing ground mounted equipment in the business and industrial park zoning districts. He reviewed the other recommended conditions from the Planning Commission including a 500-foot set back from residential property, counting solar equipment as lot coverage, requiring a Conditional Use Permit (CUP), and limiting ground mounted equipment to 20 percent of the lot and up to a one-acre maximum. He explained that staff used the recommendations of the Planning Commission to create the criteria that would be used for a CUP for ground mounted solar equipment. He stated that there were advocates of solar equipment present at the Commission meeting who encouraged the City to allow additional solar equipment within residential areas, specifically the rural residential zoning district. He advised that the Commission did have interest in reviewing that option but decided that additional resident input should be received prior to amending that zoning district. He stated that staff will publish that item in the City newsletter prior to that discussion occurring. He reported that the Planning Commission did recommend approval of the ordinance as presented tonight.

Cousineau stated that the R4 zoning district does not seem to be consistent with the other residential districts in the language used.

Finke stated that he would correct that item.

Martin questioned if the model ordinance from the State addresses residential districts.

Finke confirmed that there are two model options for residential districts and advised that he could provide that text for the Council to review.

Pederson asked for clarification regarding the setback necessary for building mounted equipment.

Finke stated that building mounted equipment would only require the setback for the building.

Pederson stated that it appears the 500-foot setback would deter parcels from taking advantage of ground-mounted equipment.

Finke agreed that properties adjacent to residential property would most likely not be able to utilize ground-mounted equipment unless they could meet the 500-foot setback from the residential property. He stated that the 500-foot setback would only apply to parcels adjacent to residential properties.

Pederson stated that he would like to see the setback reduced much less, suggesting 150 feet.

Cousineau echoed the comments of support for a 150-foot setback.

Chris Pederson, Bloomington resident, stated that he works in the area and also attended the Planning Commission meeting. He believed the 500-foot setback would box out residential development in the future. He stated that ground mounted solar equipment is the most efficient method of renewable energy available and therefore the return on the investment would be much quicker. He stated that ultimately the

homeowners will be the ones to move renewable energy into the future and believed that those individuals should have the same opportunity as businesses.

Mitchell stated that he visited the Rockford Wright - Hennepin solar site, which is near residential properties, and stated that he could see where the area could be seen as an eye sore. He explained that this part of the ordinance is being considered first while the residential portion of the ordinance will be considered second, with additional public input being gathered.

Wayne Bauerschmidt, Wright Hennepin Electric, stated that they could support a 500-foot setback as well as a smaller setback.

Cousineau questioned if the business would be interested in adding a second solar garden in the future if this is successful.

Bauerschmidt stated that the members are driving this project and stated that they would be willing to consider a second site but noted that the large setback may impact that ability.

Pederson referenced the water tower site on Willow Drive and the current zoning district.

Finke advised that is zoned business.

Martin referenced the condition regarding the solar equipment footprint, which is not to exceed 20 percent of the lot with a one-acre maximum and asked for additional input.

Bauerschmidt stated that the company has been approached by the city of Maple Grove regarding a previous landfill site, which could be completely covered with solar panels. He stated that limitation could have an effect on the possibilities for additional solar gardens in the City in the future.

Finke stated that other cities are being approached with the idea of a solar farm, which would be large scale in size, and noted that the Planning Commission did not want to see projects of that scale and that is where the one-acre maximum came into effect. He explained that the Commission considered the possible locations within the business and industrial zoning districts.

Pederson stated that he attended the Wright Hennepin open house one year ago and had been approached by a previous Planning Commissioner with the idea of using the landfill site in Medina. He believed that the setback of 500 feet is too high.

Mitchell stated that the setback can always be reduced, noting that the applicant is satisfied with this setback and noted that he would like to err on the side of being more restrictive.

Martin questioned if the landfills are currently located in the business or industrial zoning districts.

Finke confirmed that the landfills do not fall into those zoning districts.

Cousineau stated that this ordinance seems tailored to the request from Wright Hennepin rather than applying to the City for the future.

Martin stated that while she would like to see a smaller setback, she would be in favor of allowing this ordinance amendment to move through in order to allow the Wright Hennepin request to move forward.

Mitchell stated that he did not see a problem making the ordinance more restrictive at this time and amending it in the future if needed.

Pederson stated that he would not support the 500-foot setback tonight. He suggested a setback of 150 feet.

Martin stated that she could support a setback of 150 feet.

Cousineau stated that she can see the arguments from both sides, although she wanted to protect the homeowners as well. She stated that she could support a setback of 150 to 200 feet.

Finke confirmed that the business and industrial districts do not often interfere with residential properties, especially under the context of the ordinance language.

Martin stated that the setback of 500 feet could deter possible development.

*Moved by Martin, seconded by Cousineau, to adopt ordinance no. 576 related to solar equipment; amending Chapter 8 of the City Code, additional amending subdivision 2, Item B, decreasing the setback from 500 feet to 300 feet, item E, removing the language "or one acre whichever is less", Item K, adding language "and/or to promote harmony with neighboring property uses", and amending the R4 language to be consistent with the other residential districts. **Motion passed unanimously.***

**1. Resolution No. 2015-19 Authorizing Publication of Ordinance No. 576 by Title and Summary**

*Moved by Martin, seconded by Pederson, to approve Resolution No. 2015-19 Authorizing Publication of Ordinance No. 576 by Title and Summary. **Motion passed unanimously.***

**B. 2015 Independence Beach Street and Stormwater Improvements (8:37 p.m.)**

Scherer stated that there has been a grant opportunity to include stormwater aspects along with a road project in the Independence Beach area. He identified the streets included in the overlay project and summarized the history of the infrastructure in that area. He believed the utilities to be in fair condition and that the lifespan of the utilities would exceed or match the lifespan of the overlay project. He described the street improvements included in the overlay and provided an estimate of the project cost as well as the assessment cost. He stated that he would like to schedule a neighborhood meeting to explain the project to the affected residents and develop a feasibility report with more project details. He referenced the stormwater portion of the project proposed to occur near Lake Ardmore, noting there is a grant opportunity for that project. He stated that if the grant is not obtained the cost estimate for the stormwater project could be lowered.

Pederson questioned if staff has an impression from the residents in that area on their level of support for the project.

Scherer stated that he believed there would be support of the street project but was unsure with the level of support there would be for the grant project.

Kellogg stated that the grant application is due March 6<sup>th</sup> and the PCA will announce their decision by April 30<sup>th</sup>. He was unsure of the odds that the City would receive the funds, but noted that all the criteria have been met. He stated that the street project will already be occurring and noted that the additional grant project could be done in conjunction with that project to obtain cost savings.

*Moved by Martin, seconded by Pederson, to direct staff to move forward with the preparation of a feasibility report for the Independence Beach Overlay Project. **Motion passed unanimously.***

**1. Resolution No. 2015-20 Authorizing Submittal of a Proposal with the Minnesota Pollution Control Agency for the Ardmore Avenue Stormwater Retrofit Project**

*Moved by Martin, seconded by Pederson, to adopt resolution no. 2015-20 authorizing submittal of a proposal with the Minnesota Pollution Control Agency for the Ardmore Avenue Stormwater Retrofit Project. **Motion passed unanimously.***

**IX. CITY ADMINISTRATOR REPORT (8:51 p.m.)**

Johnson referenced the Wealshire project, noting that the developer did go out for bids but received higher numbers than projected for the project. He advised that staff is going to meet with the company this week to determine if the City could assist.

**X. MAYOR & CITY COUNCIL REPORTS (8:53 p.m.)**

Pederson stated that he attended the Uptown Hamel meeting today with Johnson and Scherer and commended staff for their work.

**XI. APPROVAL TO PAY THE BILLS (8:53 p.m.)**

*Moved by Pederson, seconded by Cousineau, to approve the bills, EFT 003006E-003030E for \$386,066.66, order check numbers 42475-42526 for \$145,169.45, and payroll EFT 506209-506239 for \$47,493.27 and payroll check number 020431 for 784.08. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Martin, seconded by Cousineau, to adjourn the meeting at 8:54 p.m. **Motion passed unanimously.***

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Bob Mitchell, Mayor

Attest:

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Scott Johnson, City Administrator