

MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 4, 2014

The City Council of Medina, Minnesota met in regular session on March 4, 2014 at 7:00 p.m. in the City Hall Chambers. Mayor Weir presided.

I. ROLL CALL

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

Members absent: None.

Also present: City Administrator Scott Johnson, City Attorney Ron Batty, City Engineer Tom Kellogg, City Planner Dusty Finke, Public Works Director Steve Scherer, Police Sergeant Jason Nelson, and Recording Secretary Amanda Staple.

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

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

Johnson requested to pull Item 4A, Approval of the February 18, 2014 Special Meeting Minutes, as staff made additional amendments that would require review. He also requested to add Item 7E, to Accept the Resignation of Paul Jaeb and to Appoint Lori Meehan to the Park Commission, under New Business.

*Moved by Martin, seconded by Martinson, to approve the March 4, 2014 agenda as amended. **Motion passed unanimously.***

IV. APPROVAL OF MINUTES (7:03 p.m.)

A. Approval of the February 18, 2014 Special City Council Meeting Minutes

Johnson stated that when he drafted the minutes the original version was a bit too general and the minutes required additional detail. He noted that staff added more specific information and presented a copy of the amended minutes.

*Moved by Anderson, seconded by Martinson, to approve the February 18, 2014 special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the February 18, 2014 Regular City Council Meeting Minutes

It was noted on page two, line 43, it should state, "...run onto hard surface untreated into lakes and streams a ~~treatment area~~..." On page three, line 21, it should state, "John Anderson..."

*Moved by Martinson, seconded by Pederson, to approve the February 18, 2014 regular City Council meeting minutes as amended. **Motion passed unanimously.***

C. Approval of the February 26, 2014 Special City Council Meeting Minutes

*Moved by Anderson, seconded by Martinson, to approve the February 26, 2014 special City Council meeting minutes as presented. **Motion passed unanimously.***

V. CONSENT AGENDA (7:06 p.m.)

A. Approve 2014 Work Plan Goals

- B. Approve 2014 Road Material Bids
- C. Approve Loretto Creek Water Quality Improvement Project Change Order No. 1
- D. Ordinance No. 560 Establishing Fees for City Clean Up Day
- E. Resolution No. 2014-12 Authorizing Publication of Clean Up Day Fee Ordinance by Title and Summary
- F. Approve Purchase of Laserfiche for Electronic File Storage

Moved by Pederson, seconded by Martin, 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

Park Commissioner Thies stated that the Park Commission welcomed Nate Pearson as a new member at the last meeting and will welcome another new member at the next meeting, following the appointment tonight. She also thanked Paul Jaeb for his many years of service to the City. She noted that the Park Commission also recommended that the Park and Trail Master Plan be forwarded to the City Council for review and believed that should come before the Council at one of the next meetings. She believed that it would be beneficial to review the parks plans for Plymouth and Corcoran in order to better determine a plan for parks in the northwest corner of the City and in order to coordinate with those adjacent cities.

C. Planning Commission

Finke reported that the Planning Commission will meet the following week to hold two public hearings. He advised that the first hearing will be to consider an amendment to the Comprehensive Plan to change the future land use of approximately 90 acres of property from rural residential to low density residential. He advised that the second hearing will be to consider a request for a conditional use permit to convert an existing accessory structure into an accessory dwelling.

VII. NEW BUSINESS

A. Chippewa Road West Improvement Project (7:12 p.m.)

Scherer reported on the condition of Chippewa Road West and the work that had been completed in order to extend the life of the roadway. He advised that the previous summer the City had completed the culvert replacement and the roadway is now ready for the road improvements. He explained that the process that would be used for one portion of the roadway, explaining that a lesser amount of work would be needed for the other portion of the roadway as that portion is in better condition. He advised that once the project is complete the roadway will be uniform on both the Medina and Loretto sides, noting that Loretto would be provided a portion of the funding for the improvements. He reviewed the total project cost, identifying the portion that will be contributed from each city, and confirming that Medina will assess a portion of their share to the benefiting residents.

1. Resolution No. 2014-13 Receiving Feasibility Report and Calling for a Public Hearing on Chippewa Road West Improvement Project and Levying Special Assessments for Same

*Moved by Pederson, seconded by Martinson, to adopt Resolution No. 2014-13 receiving the Feasibility Report and calling for a public hearing on the Chippewa Road West Improvement Project and levying special assessments for the same. **Motion passed unanimously.***

B. Tuckborough and Hunter Farms Addition Improvement Project (7:19 p.m.)

Scherer presented the Tuckborough and Hunter Farms Addition improvement project. He noted that the Council has reviewed this project in detail at previous dates. He reported that the culvert replacement was completed the previous fall and the roadway is now ready for improvement. He noted that there is some seeding included in the project. He advised that there are a few portions of the roadway that are weaker and will be identified for extra blacktop during the project. He noted that there is also additional funding included in the project cost to establish some curbs and catch basins. He advised that staff held a public informational meeting and received positive input from those who attended. He confirmed that a portion of the project would be assessed per the City policy.

Weir questioned the lifespan of the roadways being improved.

Scherer believed that after improvements that Chippewa would last about 15 years and Tuckborough would last about ten years, noting that would be with occasional maintenance.

1. Resolution No. 2014-14 Receiving Feasibility Report and Calling for Public Hearing on Tuckborough and Hunter Farms Addition Improvement Project and Levying Special Assessments for Same

*Moved by Anderson, seconded by Peterson, to adopt Resolution No. 2014-14 receiving the Feasibility Report and calling for a public hearing on Tuckborough and Hunter Farms Addition Improvement Project and levying special assessments for the same. **Motion passed unanimously.***

Martin asked for additional information on how the assessment policy was established.

Weir explained that the Council and staff worked to develop the assessment policy. She noted that after receiving resident input the compromise would be to bond for a portion of the roadway improvement costs and to assess for a portion of the project cost.

Scherer confirmed that with the input of residents, Council and staff, the policy was developed.

Finke explained that there is a link between the amount of benefit received by a property owner and the amount that can be assessed.

Batty stated that the policy is not statutorily dictated but explained that the statute does dictate that you cannot assess for more than the assessed property receives in benefit and that if the City is going to bond for a project they would have to assess at least 20 percent of the project cost in order to qualify for tax exempt financing.

C. Municipal State Aid (MSA) Route Revisions (7:29 p.m.)

Finke provided background information noting that the City is a part of the Municipal State Aid (MSA) programs for roads. He explained that the City is able to identify up to 20 percent of the roadways as MSA routes, which are then able to receive MSA financing. He explained the process that had previously been used to determine the amount of financing a roadway would qualify for and advised that the process has since changed. He explained that with the change in the MSA rules and the amount of recent development that has occurred, staff believed that it would be a good time to review the routes. He referenced a map that was included in the packet that identifies roadways that staff would suggest removing from the MSA routes and additional roadways that staff would like to designate as MSA roadways. He advised that staff did speak with staff from Plymouth in order to coordinate routes. He referenced identified MSA roadway projects and noted that those projects would take up approximately ten years of MSA funding.

Kellogg confirmed that the City is able to amend their MSA routes on an annual basis. He explained that additions could continue to be added as development increases.

Finke noted that MSA routes cannot be placed on restriction with the exception of spring restrictions.

Weir questioned if roadways have to be built to a certain standard in order to be qualified as an MSA route.

Kellogg stated that although there are minimum requirements but noted that if a mill and overlay were simply being done the roadway would not need to change in size but if a complete reconstruction were necessary the road would need to meet the minimum design standards. He confirmed that MSA funds could be used to purchase right-of-way if the right-of-way was necessary to meet the minimum design standards, such as straightening out an unnecessary curve.

The Council consensus was to direct staff to revise the Municipal State Aid (MSA) Route as presented.

D. Metropolitan Council Master SAC (Sewer Availability Charge) Deferral Agreement (7:41 p.m.)

Johnson reported that Weir found information on this program through the Metropolitan Council, which would allow new or expanding businesses to defer their sewer availability charges (SAC) for up to ten years. He stated that this is a great opportunity for businesses but acknowledged that if the business were to fail the City would be liable for the unpaid portion of the SAC fees. He stated that the City currently has a policy that would allow for deferment of up to three years.

Weir stated that new commercial growth does not generally require additional policing or increased attendance in the school district. She stated that this program would provide an opportunity for commercial growth but understood that there would be some liability.

Johnson noted that the policy would allow for flexible payment timelines.

Weir noted that the three-year deferral was beneficial in getting OSI to come to Medina.

Martin stated that as she understood the program this would only be available to those that require 25 SAC units or less.

Finke provided the amount of square footage that would equal 25 SAC units.

Martin referenced the situation in which a business were to defer 25 SAC units and the business were to fail and go into foreclosure and the property was sold to a new business owner. She questioned if the City would be able to then assess the deferred SAC costs against the property to the new owner.

Batty explained that the City could enter into an agreement with each applicant that would be recorded against the property so that if the business fails the City has the right to assess the property.

Weir questioned the length of time and amount of deferral that the Council would be comfortable with.

Batty believed that the discussion and policy could be set at a future time when an applicant has come forward. He explained that after the policy is set it would need to be applied to all applicants going forward.

Weir stated that the business forum is upcoming and she would like to provide general information on this program. She confirmed that the Council was comfortable following the process identified by Batty to wait to specify the policy until an applicant comes forward.

Martin stated that perhaps this would be a good time to review the City policy for deferral of SAC fees as well.

Johnson stated that staff will gather the information requested by the Council and discuss the matter at a worksession. He noted that they could then wait for the first applicant to come forward before further specifying the actual policy.

Martin stated that she supports this program and would be willing to be more aggressive in trying to attract this type of development within the City.

E. Resignation of Paul Jaeb and Appointment of Lori Meehan to the Park Commission (7:59 p.m.)

Johnson noted that he has received a resignation from Park Commissioner Paul Jaeb. He stated that luckily the City had just gone through the interview process to fill a vacant position on the Park Commission. He stated that the recommendation is to appoint Lori Meehan to the position that will be left vacant by Paul Jaeb.

Weir recognized Paul Jaeb for his efforts and contribution to the City.

*Moved by Martinson, seconded by Pederson, to adopt Resolution No. 2014-15 accepting the resignation of Paul Jaeb from the Park Commission. **Motion passed unanimously.***

*Moved by Martin, seconded by Martinson, to appoint Lori Meehan to the vacant spot on the Park Commission. **Motion passed unanimously.***

VIII. CITY ADMINISTRATOR REPORT (8:01 p.m.)

A. Litigation Update

Johnson noted that a litigation update was included in the Council packet and provided a brief update.

B. Draft Letters

Johnson noted that he has two draft letters that he is asking for direction from the Council. He noted that the first letter would address the concerns discussed by the Council at the last work session regarding the sale of e-cigarettes. He noted that the second letter would be addressing electronic publishing of notices. He advised that both letters would be sent to the governor and local representatives. He confirmed that the Council consensus is to direct staff to mail the letters as presented.

Martin provided comments regarding published notice and did not believe that people receive their notice in that format anymore. She questioned if additional language could be used to address the outdated form of posting. Johnson agreed to work with Weir to incorporate the changes suggested by Martin.

IX. MAYOR & CITY COUNCIL REPORTS (8:08 p.m.)

Pederson thanked Scherer for the recent neighborhood meetings regarding the roadway improvements and also thanked Finke for work he completed on the project.

Weir also thanked Pederson for representing the Council at those meetings.

Martin noted that she will be attending the Planning Commission the following week and advised that the Commission continues to do great work.

Martinson thanked Scherer and his staff for their efforts on the roadways in this tough winter.

Weir reminded residents that Clean-Up Day will occur at the 600 Clydesdale Trail building on April 26th from 8:00 a.m. to noon. She confirmed that a staff member will be stationed at City Hall in the case that some residents are not aware of the new location for the event. She reported that City Hall will be integrating a new telephone message system that will allow staff to work more efficiently.

Johnson noted that the new system was implemented the previous Thursday.

Weir referenced the new Metropolitan Council population forecasts.

Finke noted that the figures are in draft form at this time.

X. APPROVAL TO PAY THE BILLS (8:14 p.m.)

*Moved by Pederson, seconded by Martinson, to approve the bills, EFT 002487E-002511E for \$80,696.90, and order check numbers 040943-041004 for \$144,742.79, payroll EFT 505506-505530 for \$46,203.47 and payroll check number 020420 for \$597.82. **Motion passed unanimously.***

XI. ADJOURN

Moved by Martinson, seconded by Anderson, to adjourn the meeting at 8:15 p.m.

Motion passed unanimously.

Elizabeth Weir, Mayor

Attest:

Scott Johnson, City Administrator