

MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 19, 2013

The City Council of Medina, Minnesota met in regular session on March 19, 2013 at 7:00 p.m. in the City Hall Chambers. Acting Mayor Weir presided.

I. ROLL CALL

Members present: Pederson, Anderson, and Weir.

Members absent: Crosby and Martinson.

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

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

The agenda was accepted as presented.

IV. APPROVAL OF MINUTES

A. Approval of the March 5, 2013 Special City Council Meeting Minutes

*Moved by Pederson, seconded by Anderson, to approve the March 5, 2013 special City Council meeting minutes as presented. **Motion passed unanimously.***

B. Approval of the March 5, 2013 Regular City Council Meeting Minutes

*Moved by Anderson, seconded by Pederson, to approve the March 5, 2013 regular City Council meeting minutes as presented. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Accept 2013 Road Material Bids

B. Approve Field Rental Agreement with Hamel Hawks

C. Approve Street Sweeping Services Agreement with Pearson Brothers Inc.

D. Approve League of Minnesota Cities Insurance Trust Liability Coverage Waiver Form

E. Approve Sale of Squad 137 and Administrative Vehicle

F. ~~Approve Letter to Extend 2012 Loretto Fire Service Contract to April 15, 2013~~

G. Authorize Hakanson Anderson to Represent the City of Medina on the Pioneer Sarah Technical Advisory Committee (TAC)

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

F. Approve Letter to Extend 2012 Loretto Fire Service Contract to April 15, 2013

Johnson provided additional information and stated that the extension will be extended through April 16th, in order to time up with the next City Council meeting.

*Moved by Pederson, seconded by Anderson, to approve the letter to extend 2012 Loretto Fire Service Contract to April 16, 2013, as amended. **Motion passed unanimously.***

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Park Commissioner Thies advised that the Commission hopes to complete the Master Trail and Park Plan, which will then be presented to the Council at a future meeting for review. She noted other items that may be reviewed.

C. Planning Commission

Planning Commissioner Williams stated that the Commission reviewed a variance request from Woodridge Church, in agreement with the settlement with the City. He noted that one person spoke in opposition of the request because of noise and traffic concerns. He advised that those concerns were premature because a formal CUP had not yet been requested. He stated that ultimately the Commission recommended approval of the variance request.

VII. PRESENTATION

A. Resolution No. 2013-15 Recognizing Chris McGill for Fifteen Years of Service to the City of Medina

Weir read the Resolution recognizing Chris McGill for fifteen years of service to the City of Medina Police Department. She summarized highlights of his career with the City and thanked him for his service.

*Moved by Anderson, seconded by Pederson, to approve Resolution No. 2013-15 recognizing Chris McGill for Fifteen Years of Service to the City of Medina. **Motion passed unanimously.***

VIII. NEW BUSINESS

A. 2013 Contract with the Loretto Volunteer Fire Department

Johnson presented the proposed contract with Loretto Fire. He stated that Chief Leuer will not be present tonight but will attend the April 2nd meeting to walk through the contract with the Council. He asked for any Council input that could be incorporated into the contract. He stated that the action of the contract could be tabled until the April 2nd meeting.

Pederson stated that he did not have concern at this point and would like to wait until Chief Leuer is present.

Anderson stated that he believed a termination for cause should be included.

Batty confirmed that he would also recommend that.

Anderson asked for additional information regarding the level of services and the effect the relationship between the City of Corcoran and the Loretto Fire Department could have.

Batty confirmed that he also had questions regarding the level of service specified.

Weir stated that she would like to discuss the proposed contract with Crosby, as he had negotiated this agreement. She highlighted the level of Medina commercial property, compared to other cities served by Loretto Fire Department and was concerned with taxable values.

Batty referenced the use of market value and the definition provided and provided an example relative to Medina. He explained that cities with higher commercial value, because of the taxes paid, would have a significant impact on the City of Medina.

*Moved by Pederson, seconded by Anderson, to table the Agreement by and between the City of Medina and the Loretto Fire Department until the April 2, 2013 City Council meeting. **Motion passed unanimously.***

B. The Enclave at Medina 3rd Addition

Sparks presented an application for the Final Plat for the Enclave at Medina 3rd addition and provided background information on the Enclave at Medina, 1st and 2nd additions. He reported that the 3rd addition would complete the single-family portion of the development and noted that lots had been shifted because of the Navajo Road vacation. He advised that a variance allowing a 50-foot wide right-of-way (ROW) was approved with the preliminary plat. He stated that if this request is found to be consistent with the Preliminary Plat, the Council should approve the Resolution approving the Final Plat with conditions, along with the Development Agreement.

Kellogg commented that for the most part all of the conditions have been resolved.

Anderson questioned the level of sales in the first two phases of the project, percentage wise.

Carole Toohey, U.S. Home Corporation, believed that the development is about 50 percent through the second phase of the development, sales wise. She confirmed that the first phase was completely sold, with the exception of the model and parking area. She estimated one to two sales per month consistently but noted that the market can shift at any time.

Weir questioned if thought had been given to installing a bike rack at the tot lot.

Toohey confirmed those types of items would be found near the tot lot.

1. Resolution No. 2013-16 Approving the Final Plat of the Enclave at Medina 3rd Addition

*Moved by Anderson, seconded by Pederson, to approve Resolution No. 2013-16 approving the final plat of the Enclave at Medina 3rd Addition. **Motion passed unanimously.***

2. **Development Agreement by and between the City of Medina and U.S. Home Corporation Regarding the Enclave at Medina 3rd Addition**

Moved by Anderson, seconded by Pederson, to approve the Development Agreement by and between the City of Medina and U.S. Home Corporation Regarding the Enclave at Medina 3rd Addition. Motion passed unanimously.

C. **The Enclave at Medina 4th Addition**

Sparks presented the application for the Enclave at Medina 4th addition, explaining that this phase would complete the remaining 36 townhome parcels. He noted that there are no public streets proposed for this addition, advising that a private street (proposed to be built to City standards) and private drives would be used. He stated that if found to be consistent with the Preliminary Plat, staff would recommend approval of the Resolution approving the Final Plat as well as the Development Agreement.

Anderson commended Lennar for their cooperation with the Planning Commission and City Council for their addition of the townhomes.

Toohey was unsure how this townhome product would sell.

1. **Resolution No. 2013-17 Approving the Final Plat of the Enclave at Medina 4th Addition**

Moved by Anderson, seconded by Pederson, to approve Resolution No. 2013-17 approving the final plat of the Enclave at Medina 4th Addition.

Further discussion: Weir recognized that the townhome portion of the development would be part of a separate association than the single-family homes and questioned if they would have access to the shared services, such as the tot lot and swimming pool.

Toohey confirmed that the townhome association would have the ability to use the tot lot but would not be able to use the swimming pool. She explained that there is a different level of dues for the property types and confirmed that there is language included in the association agreement, which would give them the option to pay higher dues to access the facilities.

Motion passed unanimously.

2. **Development Agreement by and between the City of Medina and U.S. Home Corporation Regarding the Enclave at Medina 4th Addition**

Moved by Anderson, seconded by Pederson, to approve the Development Agreement by and between the City of Medina and U.S. Home Corporation Regarding the Enclave at Medina 4th Addition. Motion passed unanimously.

IX. **CITY ADMINISTRATOR REPORT**

A. **Letter to Judge Lipman Requesting a Rescheduled Hollydale Transmission Line Public Hearing**

Johnson stated that he received notification from three residents stating that they were not made aware of the public meetings until after they took place on March 6th and 7th. He advised that he drafted the proposed letter to Judge Lipman expressing those concerns.

Weir confirmed Council consensus to send the letter to Judge Lipman.

B. Other

Johnson provided information regarding the merger between the Hamel and Loretto Fire Departments. He advised that the organizations received grant funds to use towards the proposed merger. He stated that the previous consultant will continue their work with the departments and advised of the date they would like to meet with representatives from the City of Medina. He recommended that the public safety liaisons attend the meeting on behalf of Medina.

Johnson advised that staff continues to have discussions/negotiations with Mediacom and noted that a possible item for approval could be ready for the April 2nd Council meeting. He advised that the proposed water tower site on the Mattamy property could also be ready for review at the April 2nd meeting.

X. MAYOR & CITY COUNCIL REPORTS

Pederson reported that he and Johnson attended the Uptown Hamel meeting today and watched a demonstration on how to make maple syrup.

Anderson stated that he received a resident call regarding the condition of Chippewa.

Scherer stated that staff is going to have a special meeting with the Council to discuss the information and then contact and follow up will be made with the residents. He noted that further Council input would be needed because this would affect the budget.

Anderson advised of an invitation to a meeting that he received regarding the Loretto Fire Department and the five cities they service at 10:30 a.m. on April 3rd to discuss fire department issues and the agreement with the five cities.

Weir provided an update on the recent activity of the Elm Creek Watershed District including the next version of the Third Generation Plan. She stated that the District is requesting a representative on the Technical Advisory Committee (TAC), and recommended that the consultant from Hakanson Anderson provide that service.

Johnson confirmed that could be done as the consultant contract with Hakanson Anderson also provides representation on the other TACs that the City is involved in.

XI. APPROVAL TO PAY THE BILLS

*Moved by Pederson, seconded by Anderson, to approve the bills, EFT 002019E-002041E for \$53,182.74 and order check numbers 039473-039524 for \$139,856.80 and payroll EFT 504826-504855 for \$46,309.06. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Pederson, seconded by Anderson, to adjourn the meeting at 7:44 p.m. **Motion passed unanimously.***

Elizabeth Weir, Acting Mayor

Attest:

Scott Johnson, City Administrator