

## MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 21, 2017

The City Council of Medina, Minnesota met in regular session on March 21, 2017, at 7:00 p.m. in the City Hall Chambers. Mayor Mitchell presided.

### I. ROLL CALL

**Members present:** Anderson, Cousineau, and Mitchell.

**Members absent:** Martin and Pederson.

**Also present:** City Administrator Scott Johnson, City Attorney Ron Batty, City Engineer Jim Stremel, City Planner Dusty Finke, Public Works Director Steve Scherer, and Chief of Police Ed Belland.

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

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

The agenda was approved as presented.

### IV. APPROVAL OF MINUTES (7:01 p.m.)

#### A. Approval of the March 7, 2017 Regular City Council Meeting Minutes

Johnson noted that Martin has submitted edits that will be completed by staff. He noted that Batty also submitted changes to page nine, which will be incorporated. On page two, line 19, it should state, "...benefit effectiveness..." On page two, line 20, it should state, "...evaluation policy..." On page two, line 21, it should state, "...working and or not working..." On page four, line 20, it should state, "...review, contains an agreeable zoning to the request proposed actually required this subject site similar to what is being requested by the applicant." On page eight, line 35, it should state, "...therefore if the Steering Committee ultimately needs to designate additional land needs to be reconvened, he would be okay with that."

*Moved by Anderson, seconded by Cousineau, to approve the March 7, 2017 regular City Council meeting minutes as amended. **Motion passed unanimously.***

### V. CONSENT AGENDA (7:02 p.m.)

#### A. Accept 2017 Road Material and Equipment Bids

#### B. Approve 2016 Annual Report

#### C. Approve Dugout Cover Fencing Upgrades at Hamel Legion Park

#### D. Approve Display Contract Agreement with RES Specialty Pyrotechnics

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

### VI. PRESENTATIONS

#### A. Resolution No. 2017-17 Recognizing Linda Lane for 10 Years of Service to the City of Medina (7:03 p.m.)

Mitchell read aloud the resolution recognizing Linda Lane for her ten years of service to the City of Medina.

*Moved by Anderson, seconded by Cousineau, to adopt Resolution No. 2017-17 Recognizing Linda Lane for 10 Years of Service to the City of Medina. **Motion passed unanimously.***

Scherer stated that Linda has been a great help over the past ten years and it has been nice to have that experience.

Finke echoed the comments and stated that organization and staying on task are not strong skills for he and Scherer and therefore it is helpful to have Linda on the team to assist them.

Mitchell suggested inviting Linda to the next meeting to provide her with the recognition she is entitled to, as she was not feeling well tonight.

## **VII. 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 Park Commission met the previous week to discuss the dugout covers that were on the Consent Agenda tonight. He stated that it has been a safety issue for many years and therefore the Commission would move forward with the safety element and the baseball association can always add to the project. He stated that the Commission discussed trails and voted to remove a non-practical loop of turf trails. He stated that while some items may look great on paper, it is helpful for budgeting purposes to remove items that are not practical.

### **C. Planning Commission**

Planning Commissioner White reported that the Planning Commission met the previous night to consider a Conditional Use Permit amendment to allow the Three Rivers Park District and We Can Ride, Inc. to conduct a therapeutic horse program at the Baker Park Safety Facility. She stated that there were many people in attendance and received helpful input and ultimately recommended to amend the CUP with a vote of 3-1. She noted that there was a lot of discussion regarding the maximum number of horses and the Commission supporting increasing that number to 20. She noted that there was also discussion regarding the manure bunker and the Commission ultimately supported the use of a dumpster, as the organization currently uses that method successfully. She provided additional details on the horses and how they rotate them in and out of the program.

## **VIII. OLD BUSINESS**

### **A. LJP Development LLC – 1432 Baker Park Road (CR 29) – Comprehensive Plan Amendment and Rezoning (7:14 p.m.)**

Johnson noted that the Council previously discussed this item and asked for additional information. He stated that he received an email from Martin this afternoon, who provided some input as she was not able to attend the meeting. He stated that his concern is that not all Councilmembers are present for the policy discussion and

therefore it would make more sense to have the entire Council present for that policy discussion.

Finke stated that a formal response was not received from the Metropolitan Council but the response from the Metropolitan Council staff member was provided. He explained that the general comments were that the Metropolitan Council responds to the amendment that is in front of them but it is the City's duty to comply with the system statements. He stated that clarification was given that the high-density numbers are projected between 2020-2030. He stated that in effect the City would not receive "credit" for the development which occurs prior to 2020, although they would not be penalized. He stated that the other question the Council had was whether the City would be penalized for allowing memory care/nursing homes within the high-density land use. He stated that it was determined that it would be the purview of the City to determine whether those units would be consistent with the land use, but the units would not officially count towards the number of high density units. He stated that once the Plan is approved the only impact that development would have is on future forecasts. He explained that the City is required to plan for certain acreages of certain types of development and once the Plan is approved the regulations have been met.

Cousineau stated that it seems that consequently this will not count as high density and the requirement could be higher in the next round of forecasts.

Finke stated that high density housing is only one element of the forecasts and therefore would not result in unit for unit measurement.

Anderson stated that it would seem safe to assume that if this project moves forward prior to the adoption of the next Comprehensive Plan, the City would be forced to find additional acreage that could be added to the high-density zoning district and that this would require reexamination on the entire plan.

Finke stated that there is a certain amount of flexibility in the Plan, noting that there were already a few extra units planned. He stated that as staff was putting together some final charts, there were differences in the projects for the sewerred versus unsewerred population and therefore the Metropolitan Council over projected in the number of sewerred units the City has which has an effect on the projections for the City which also lowered the need for high density. He stated that the City would not be forced to amend the draft Plan but would lose the flexibility to consider any additional applications in this nature before the draft Plan is adopted.

Mitchell asked the number of memory care/nursing home units projected by the Metropolitan Council.

Finke replied that type of use is not required.

Mitchell stated that it seems that the Metropolitan Council has identified an error in their system as there is an aging population and a need for this type of development. He stated that the Metropolitan Council should be forecasting an aging population as there is a need for these high-density facilities. He stated that he is mindful that Martin and Pederson are not present tonight. He stated that he is satisfied with the effort that staff has made in terms of trying to obtain an answer from the Metropolitan Council. He stated that it seems that the Metropolitan Council has said that they would allow the

use/activity but would not count the units towards high density. He encouraged staff to continue to encourage the Metropolitan Council to allow the City to count those units as the needed high density housing units that they are. He asked if the City has met the minimum requirement for high density housing required for the 2010-2020 Plan.

Finke stated that the City has not come close to the 2010-2020 allocation, as the number was very high and there was very little high density development during that time.

Mitchell asked if that is counted against the City.

Finke noted that it is one element of the model the Metropolitan Council uses for forecasting.

Mitchell asked what would happen to the City if this amendment is approved.

Finke stated that the Metropolitan Council would be reviewing the draft Plan, when submitted to ensure that the minimum requirements are planned for between 2020 and 2030. He explained that if a property is developed in 2017, it then should not be counted in the 2020-2030 calculations.

Mitchell asked that staff continue to talk to the Metropolitan Council regarding the need for nursing home/memory care units and the demand of the market. He stated that the City is filling a real need and should be given credit for those units as high density.

Finke stated that they can continue the discussion. He stated that the other question would relate to the timing, as the Metropolitan Council looks only within the timeframe of the Plan and therefore this application would still be outside of that timeframe.

Cousineau stated that it would not be bad to wait until the draft Plan is adopted then as that would ensure that the City would not get ahead of itself with the jump ahead requests. She noted that the requests are asking the City to amend the Comprehensive Plan in order to move ahead in developing prior to adoption of the draft Plan.

Mitchell stated that it is unfair that the City is not getting credit for the high-density housing that is being provided through the nursing homes and memory care facilities that are needed and are being built. He stated that because two members of the Council are not present and Martin has some policy concerns with the application before us.

1. **Resolution Approving a Comprehensive Plan Amendment for LJP Development LLC at 1432 Baker Park Road**

*Moved by Anderson, seconded by Cousineau, to table Resolution Approving a Comprehensive Plan Amendment and Ordinance Rezoning 1432 Baker Park Road to the Limited High Density Residential Zoning District. **Motion passed unanimously.***

The applicant stated that while he understands the intention of the Council, there is a need for this type of housing. He stated that memory care facilities provide service to people with diseases that are qualified as developmental disabilities. He stated that he is embarrassed to listen to this conversation on whether or not housing units count when he is attempting to build a housing facility for people who are considered to have disabilities under the Americans with Disabilities Act.

Batty stated that it would be appropriate for the Council to direct staff to prepare documents both approving and denying the request to avoid having unnecessary meetings in the future on the topic.

Mitchell noted that staff has prepared documents approving the request and should also prepare documents denying the request so that an answer can be provided on April 4<sup>th</sup>.

**IX. CITY ADMINISTRATOR REPORT (7:44 p.m.)**

Johnson stated that the annual park tour will take place on April 19<sup>th</sup> at 5:00 p.m. and asked the members of the Council that plan to attend to ensure the meeting is properly noticed.

*Moved by Anderson, seconded by Cousineau, to call for a special meeting on April 19<sup>th</sup> at 5:00 p.m. for the annual park tour. **Motion passed unanimously.***

**X. MAYOR & CITY COUNCIL REPORTS (7:44 p.m.)**

Mitchell stated that there was a good discussion with Hamel business owners this morning, noting that the Council met with three businesses in the Hamel area.

Cousineau stated that she attended the mayors meeting the previous week and received a presentation from MnDOT regarding traffic improvements.

**XI. APPROVAL TO PAY THE BILLS (7:46 p.m.)**

*Moved by Anderson, seconded by Cousineau, to approve the bills, EFT 004064E-004081E for \$51,070.05, order check numbers 045614-045680 for \$153,342.37, and payroll EFT 507767-507797 for \$50,484.36. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting at 7:46 p.m. **Motion passed unanimously.***

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Bob Mitchell, Mayor

Attest:

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Jodi M. Gallup, City Clerk