

MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 7, 2015

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

I. ROLL CALL

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

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

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 17, 2015 Special City Council Meeting Minutes

It was noted under item two there should be a reference that the group watched a video presented by Belland. Under the call to order, it should state, "...called the meeting to order and thanked both the Planning Commission and Park Commission for attending the meeting."

*Moved by Pederson, seconded by Martin, to approve the March 17, 2015 special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the March 17, 2015 Regular City Council Meeting Minutes

It was noted on page three, line 22, it should state, "...as to the reason the shared parking..." On page two, line 50, it should state, "...~~parking arrangement~~ requirement to have the parking agreement recorded against the property."

*Moved by Martin, seconded by Anderson, to approve the March 17, 2015 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:03 p.m.)

A. Accept 2014 Annual Report

B. Approve Temporary On-Sale Liquor License to Wildlife Rehabilitation Center on August 8, 2015 at 3000 Hamel Road

C. Approve Eagle Scout Project at Hamel Legion Park

D. Approve Grounds Services Agreement with the Hamel Athletic Club

E. Award Contract for the Park at Fields of Medina Site Work to Sunram Construction, Inc. and Allocate Additional Park Dedication Funds for the Project

F. Approve Sport Court Purchase for the Park at Fields of Medina

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

VI. COMMENTS (7:05 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer reported that the Park Commission will meet the following week.

C. Planning Commission

Finke reported that the Planning Commission will meet the following week to hold public hearings for a site plan review and variance request from ALDI, a maintenance building proposal from Medina Golf and Country Club, and variance request from a homeowner for a small animal structure on their property.

VII. PRESENTATIONS

A. Elm Creek Watershed Management Commission Annual Update (7:07 p.m.)

Elizabeth Weir provided a highlight of her written report including new engineering standards and the Capital Improvement Plan. She stated that perhaps staff could support outfitting future storm water ponds with benches, which will allow for iron filter retrofitting opportunities in the future. She suggested that perhaps a NEMO workshop should be held to provide an educational opportunity to the new Council members. She stated that the Watershed was given access to ad valorem taxation, which will assist with funding water quality projects. She briefly reviewed some of the incentives that will be offered by the Watershed to help developers increase and benefit from the standards.

Mitchell asked if Weir would like action from the Council.

Weir stated that she would simply recommend the NEMO workshop as there would be no cost for that item. She also noted that there would not be a substantial cost to add the benches, which will allow for iron sand filter retrofitting in the future. She stated that her items are merely recommendations and do not require formal action from the Council.

Mitchell directed staff to investigate the best time to hold a NEMO workshop. He thanked Weir for her presentation.

VIII. OLD BUSINESS

A. Resolution No. 2015-29 Granting Extension of Time to Submit Final Plat for Woods of Medina of Medina Amending Resolution 2014-04 (7:16 p.m.)

Pederson recused himself from the discussion.

Anderson questioned the purpose of the extension.

Finke stated that the extension would allow the applicant additional time to find the necessary parties to move forward and to meet the conditions of the Preliminary Plat.

*Moved by Martin, seconded by Anderson, to adopt Resolution No. 2015-29 granting extension of time to submit final plat for Woods of Medina amending Resolution 2014-04. **Motion passed unanimously.***

Pederson rejoined the Council.

IX. NEW BUSINESS

A. Puptown – Conditional Use Permit (CUP) Amendment – 810 Tower Drive (7:17 p.m.)

Finke presented a request for an amendment to an existing Conditional Use Permit (CUP), which was approved four years ago to increase the maximum allowed number of dogs from 60 dogs to 90 dogs during playcare and 70 dogs for boarding. He stated that the Code states that sufficient space shall be required within the principle structure to accommodate all board and exercise activities. He displayed an aerial photograph of the property, which shows not only the main structure but the outdoor play area as well. He stated that staff was only able to find minimal comparison language from other municipalities and organizations regarding the amount of space considered to be sufficient for dogs. He stated that the Planning Commission held a public hearing at their March meeting and spent a fair amount of time discussing the space regulations and speaking with the applicant and ultimately recommended approval of the request. He stated that the applicant has stated that the portion of the parking lot mentioned in condition three has already been paved and therefore the condition has already been met and would not be required.

Martin questioned the purpose of condition five, which limits the use of the outdoor area.

Finke stated that condition was originally suggested when the CUP was first considered and was added to ensure that the dogs barking would not interrupt the neighbors.

Martin questioned if there have been complaints regarding dogs barking.

Finke reported that there have been zero noise complaints against the business.

Anderson stated that at the Planning Commission Meeting there were no comments against the request and the only people in attendance at the Planning Commission meeting spoke in favor of the request.

Tom Kingstead, owner of PupTown, was present to answer any questions.

Pederson stated that he has only heard positive comments about the business.

*Moved by Anderson, seconded by Cousineau, to direct staff to prepare a resolution approving the Conditional Use Permit based upon the findings noted in the staff report and subject to conditions recommended by the Planning Commission. **Motion passed unanimously.***

B. Jeff and Shirley Varney – Conditional Use Permit (CUP) for Construction of a Storage Building – 3985 County Road 19 (7:26 p.m.)

Finke presented a request for a Conditional Use Permit (CUP). He stated that the Code requires a CUP for the construction of more than two accessories structures and when

an accessory structure exceeds 5,000 square feet. He stated that this request would trigger both items. He stated that the proposed building would be approximately 10,000 square feet and would be used to store agricultural equipment. He stated that another accessory building would be relocated to another location on the site and provided a survey identifying the proposed location of each building. He highlighted the proposed storm water measures proposed by the applicant. He advised that the proposed new building and relocation of the existing building would meet the setback if there was dedicated right-of-way, noting that there is not dedicated right-of-way on this property. He summarized the building details and proposed building exterior. He stated that the building is proposed to be one color in order to compliment the other buildings on the site but there would be landscaping to provide relief. He stated that the Planning Commission recommended approval of the request with the additional condition requesting that the landscaping along County Road 19 be extended. He stated that the Planning Commission had concern with possible subdivision in the future and the property possibly becoming smaller. He advised that a condition was added to the CUP which would require the accessory structure to be removed should the parcel be subdivided.

Mitchell stated that he likes the additional condition regarding possible subdivision. He questioned the type of farming activities that occur on the property.

The applicant stated that he plants a few types of squash and pumpkins and also bales hay. He confirmed that he grows crops and does not have animals.

Moved by Anderson, seconded by Cousineau, to direct staff to prepare a resolution approving the Conditional Use Permit based upon the findings described in the staff report, and subject to the conditions noted in the report.

Further discussion: Mitchell questioned if approval would be needed from the City of Loretto.

Finke replied that Loretto does not have any jurisdiction over this project but did submit a letter with their opinion.

Motion passed unanimously.

C. Well No. 8 Test Well (7:36 p.m.)

Tom Roshar, WSB & Associates, presented a quotation to create a test well for well no. 8. He stated that the City received an outlot as part of the Enclave at Brockton fourth addition. He noted that although a boring had been done in the past, a test well was never completed. He stated that the process of completing a test well and test pump is important and would need to be done in order to move forward. He stated that the test well would confirm if there is capacity in that area before investing more funds in a permanent well. He stated that staff would like to see a similar result to well no. 5. He stated that because the test well issue had not been brought forward earlier in the process, WSB would not be charging the City of Medina for their consulting services and staff time.

Scherer stated that he would like to see it stated that the cost would not exceed the quote for the production well, noting that the City was very far along and were ready to open the bids for the production well.

Anderson stated that he felt that this was very generous on the part of WSB.

Roshar stated that the low bidder, Mark J. Traut Wells, Inc. has significant experience and is very well qualified for this work. He stated that the boring went 400 feet down and did not run into bedrock. He advised that the test well would go down 450 feet.

Scherer stated that he completely agrees with doing the test well and noted that he was simply explaining that this is being done a little backwards.

Pederson questioned the timing of the project.

Roshar believed that the test well would be completed by June 30th and advised that if the results are positive the permanent well would be dug immediately following.

1. Test Well Drilling Services Agreement with Mark J. Traut Wells, Inc.

*Moved by Martin, seconded by Anderson, to accept the low quote for the Test Well for Future Well No. 8 from Mark J. Traut Wells, Inc. and approve the agreement between the City of Medina and Mark J. Traut Wells, Inc. **Motion passed unanimously.***

IX. CITY ADMINISTRATOR REPORT

A. Annual Park Tour – May 20, 2015 at 5:30 p.m. (7:45 p.m.)

Johnson stated that the Annual Park Tour will take place on May 20th at 5:30 p.m. and asked if any Council members were planning to attend. He noted that if a quorum will be present the meeting should be noticed.

*Moved by Martin, seconded by Pederson, to call for a special City Council meeting for the annual park tour on May 20, 2015 at 5:30 p.m. **Motion passed unanimously.***

B. Business Tour (7:46 p.m.)

Johnson stated that at the previous meeting the Council called for a special meeting for the Business Forum but advised that the business tours, which follow at 9:30 a.m., would also need to be noticed.

*Moved by Pederson, seconded by Martin, to call for a special City Council meeting for the business tours on April 23, 2015 at 9:30 a.m. **Motion passed unanimously.***

Johnson reported that the Board of Appeal meeting will take place tomorrow at 6:30 p.m.

B. Townline Road Project (7:48 p.m.)

Scherer stated that the City of Independence will be bonding for several road paving projects. He stated that Medina shares a roadway with Independence, Townline Road, and advised that Independence would like to include that in their list of projects. Scherer stated that Medina had planned the road improvement for the next year and did not see any reason to not move ahead with the project this year in order to work with Independence. He stated that there will be a cost savings because of the number of projects Independence is bundling into their bidding process. He advised that this is an assessable project and stated that once Independence formally approves the project he will contact the three Medina residents within the assessment area to discuss that item.

X. MAYOR & CITY COUNCIL REPORTS (7:50 p.m.)

Anderson stated that he attended the March Planning Commission meeting.

Pederson stated that he attended the Lions Easter egg hunt the previous weekend and reported that 500 children attended the event. He stated that it was a great event and a lot of fun. He commended the Lions for the outstanding job they continue to do on community events.

Mitchell stated that he also attended the event and echoed the comments of Pederson.

XI. APPROVAL TO PAY THE BILLS (7:51 p.m.)

*Moved by Pederson, seconded by Anderson, to approve the bills, EFT 003069E-003093 for \$53,480.61, order check numbers 42632-42694 for \$186,246.62, and payroll EFT 506297-506322 for \$45,196.84. **Motion passed unanimously.***

XII. ADJOURN

Moved by Anderson, seconded by Pederson, to adjourn the meeting at 7:52 p.m.

Motion passed unanimously.

Bob Mitchell, Mayor

Attest:

Scott Johnson, City Administrator