

MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 2, 2013

The City Council of Medina, Minnesota met in regular session on April 2, 2013 at 7:00 p.m. in the City Hall Chambers. Acting Mayor Weir presided.

I. ROLL CALL

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

Members absent: Crosby.

Also present: City Attorney Ron Batty, City Engineer Tom Kellogg, Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Scott Johnson, Police Chief Ed Belland, 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 19, 2013 Regular City Council Meeting Minutes

It was noted on page three, line 13, it should state, "...she highlighted the level of commercial property, compared to other cities served by Loretto Fire Department and was concerned with taxable values."

*Moved by Pederson, seconded by Anderson, to approve the March 19, 2013 regular City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the March 26, 2013 Special 7:30 a.m. City Council Meeting Minutes

A quorum was not present and no action was needed.

C. Approval of the March 26, 2013 Special 6:00 p.m. City Council Meeting Minutes

*Moved by Pederson, seconded by Anderson, to approve the March 26, 2013 special 6:00 p.m. City Council meeting minutes as presented. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Approve Seal Coating Services Agreement with Pearson Brothers, Inc.

B. Approve Cleaning Services Agreement for Field House with Carlson Building Services, Inc.

C. Approve Liquor License Transfer from Harley's of Loretto, LLC to Local 55, LLC

D. Approve Contract for Services Between the Cities of Medina and Maple Plain and the Metropolitan Consortium of Community Developer for the Open to Business Program

E. Authorize Clean Water Fund Grant Application for Tower Drive Project

- ~~F. Resolution No. 2013-18 Accepting Donation from Hamel Athletic Club~~
- G. Approve Installation Services Agreement with DesLauriers and Sons, Inc.
- H. Approve Engagement Letter with Moss and Barnett for Legal Services for a Cable Franchise Agreement

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

F. Resolution No. 2013-18 Accepting Donation from Hamel Athletic Club

Pederson stated that he appreciates the donations from Hamel Athletic Club but expressed concern with the lights. He believed that a sign should be placed in the park stating that lights could be possible.

Johnson explained that Hamel Athletic Club was pursuing lights, but are now not looking into that option.

Scherer confirmed that the group has had changes to the members of its Board and explained that the new Board feels that it is more important to dress up the fields and buildings rather than installing lights.

Weir confirmed that there is language included in the Lennar contracts that specify that lights are a possibility.

Johnson stated that staff could be directed to install a sign in the park stating that lights could be a possibility in the future. He confirmed Council direction for staff to complete that action.

Moved by Martinson, seconded by Pederson, to approve Resolution 2013-18 accepting donation from Hamel Athletic Club, with direction for staff to install signage at the park advising of the possibility of future lighting. Motion passed unanimously.

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Park Commissioner Jaeb stated that for the past year the Commission had been working on recreating the Park and Trail Master Plan, which will be unveiled at the May City Council meeting. He stated that at the last meeting a fair amount of time was spent with Hamel Athletic Club (HAC) in regard to the redirected improvements for the park.

Weir noted royal blue was chosen by HAC for the cover material and questioned the reason for that, as the material will stand out. She also questioned how long the material would remain up.

Jaeb stated that the color of the material is royal blue to match the logo and confirmed that the material would only remain for the season and would need to be removed the week after the closing of the season.

C. Planning Commission

Finke advised that the Planning Commission will meet the following week to hold three public hearings including a preliminary plat review, a rural lot split and variance request, and an Ordinance amendment (or series of amendments).

VII. PRESENTATION

A. Resolution No. 2013-20 Recognizing Derek Reinking for Five Years of Service to the City of Medina

Weir read the proposed Resolution recognizing Derek Reinking for his five years of service to the City through the public works department, highlighting his responsibilities and achievements. She also thanked him for his service to the City.

Scherer stated that Derek Reinking is one of the hardest working employees he has and provided examples of his work throughout his five years with Medina. He stated that Reinking is the future of the Medina public works department.

*Moved by Pederson, seconded by Anderson, to approve Resolution No. 2013-20 recognizing Derek Reinking for five years of service to the City of Medina. **Motion passed unanimously.***

B. Resolution No. 2013-19 Recognizing Ivan Dingmann for Ten Years of Service to the City of Medina

Scherer noted that Ivan Dingman is not yet present at the meeting.

Johnson recommended that the Council approve the Resolution in case he is not able to attend the meeting.

Weir recognized Ivan Dingman for his ten years of service to the City.

*Moved by Pederson, seconded by Anderson, to approve Resolution No. 2013-19 recognizing Ivan Dingmann for ten years of service to the City of Medina. **Motion passed unanimously.***

VIII. NEW BUSINESS

A. Resolution No. 2013-21 Awarding the Sale of General Obligation Refunding Bonds, Series 2013A, in the Original Aggregate Principal Amount of \$2,785,000; Fixing their Form and Specifications; Directing their Execution and Delivery; Providing for their Payment; Providing for their Escrowing and Investment of the Proceeds Thereof; and Providing for the Redemption of Bonds Refunded Thereby

Shelly Eldridge, Ehlers and Associates, advised that bids were received this morning for the bonds and reported that eight bids were received. She reported that the lowest bidder was FTN Financial Capital Markets and noted that the research that she did showed that this was a stable buyer. She advised that there was national competitive interest in these bonds and noted that a premium bid was received and reduced the bid to 1.2889 percent. She provided additional savings information, noting that savings would not start until the February 1, 2016 payment.

Anderson noted that the City will save approximately \$225,000 over the course of the bonds through this refinancing option.

*Moved by Anderson, seconded by Pederson, to approve Resolution No. 2013-21 Awarding the Sale of General Obligation Refunding Bonds, Series 2013A, in the Original Aggregate Principal Amount of \$2,690,000; Fixing their Form and Specifications; Directing their Execution and Delivery; Providing for their Payment; Providing for their Escrowing and Investment of the Proceeds Thereof; and Providing for the Redemption of Bonds Refunded Thereby. **Motion passed unanimously.***

B. Crossover Refunding Escrow Agreement Relating to: \$4,395,000 City of Medina, Minnesota General Obligation Water Revenue Bonds Series 2007A

Johnson noted that this action would be the second step in the refinancing.

*Moved by Anderson, seconded by Martinson, to approve the Crossover Refunding Escrow Agreement Relating to: \$4,395,000 City of Medina, Minnesota General Obligation Water Revenue Bonds Series 2007A. **Motion passed unanimously.***

IX. OLD BUSINESS

A. Water Tower Site Discussion

Johnson stated that this information was put together by Scherer and Finke in order to find a suitable site for a new water tower.

Scherer provided background information noting that in 2009 the Water Plan identified additional water storage needs and advised that the Council directed staff to re-evaluate the needs in 2012. He stated that WSB assisted in this process to better determine the needs of the City, which ultimately identified additional storage needs. He identified the City owned site that would be a good fit for additional water storage and explained the criteria that was used to evaluate the different City owned sites.

Finke provided additional information on the process that has occurred in the context of the study and the Fields of Medina being identified as the best site. He advised that Resolution 2012-92, the preliminary plat approval for the Fields of Medina West noted a condition that required disclosure of the park as potential water tower site. He advised that additional property is being deeded beyond the park dedication requirements for this site, which was also a part of the approval for the development. He stated that staff now seeks direction from the Council related to the location of future water storage and advised that operationally the location in the Fields of Medina is ideal.

Pederson questioned if it is typical to find a water tower in a park setting.

Scherer confirmed that it is common to find water towers in parks and identified neighboring communities that have that function in the park.

Pederson questioned if the developer would have difficulty selling units with the water tower. He confirmed that about 20 building permits have been pulled with a total of 65 units to sell.

Scherer noted that a re-evaluation would be done in about five years as he believed the additional storage would not be needed for the next five to seven years.

Weir confirmed that this would be an option to place the tower on the site and questioned if in the future another site could be identified as a water tower site.

Scherer noted that the City does not control any of the other sites and advised that Council direction was for staff to lock down a site for a potential water tower. He stated that if the option for a better site within the commercial site comes forward, that could be an option, but explained that this action would ensure that the site is available in five years should the City need to move forward. He confirmed that operationally this is a great water tower site that would function well and advised of the nearby water mains.

Anderson confirmed that this site would also provide redundancy in the system to provide a backup should a problem in the system arise.

Ryan Cole, Shorewood Trail, stated his concern and that of his neighbors is the impact on property values. He asked that the tower be placed further towards the commercial district. He believed that the water tower placed in the middle of the park would affect the decision of homebuyers and home values.

Weir stated that she has faith that the tower would be moved closer to Meander; closer to the commercial development that will be south. She explained that those home values are already diminished in value because of the commercial property location.

Richard Lou, Shorewood Trail, thanked the Council for their consideration and transparency with the new development. He explained that for the homeowners in the existing development the concern is whether the water tower will be visible to his home and his neighbors' homes. He stated that the visual effect was very important to him when he bought his property and also expressed concern with property values for his development.

Michael Ferguson, Foxberry Farms, stated that he has lived in his development for 15 years. He questioned how the water tower would look, as the existing Hamel Water Tower has antennas and is not aesthetically pleasing. He stated that it seems the City has the desire to place things near his development. He believed it was unfair for the City to keep pushing unwanted things towards the development.

Julie Wang, Foxberry Farm, referenced the study that was done and felt the scoring aspect missed the financial portion as the property values in that development will be effected. She also believed that different values should be given to different aspects of the study, which could provide different scores for the possible sites. She questioned how many cities have that high of a density within a five mile radius of a water tower.

Kevin Salisbury, Jubert Lane, stated that he just recently signed a purchase agreement two weeks ago. He stated that he grew up in Indiana and considers himself a traveler, as he travels a lot for business. He stated that he believes in quality of life because of the amount of time he travels and puts Medina in the same ballpark as some of the high value places across the country. He stated that he has been in the Minnesota area for about ten years now and questions the value for quality of life. He questioned if there are other areas that the water tower could be placed for the long-term needs of the community. He stated that populations are going to continue to grow, but wanted to ensure that parks and quality of life are missions for the future.

Tammy Diehm, stated that she is the legal representative for Mattamy Homes, and appreciated the Council hearing her comments. She stated that a responsive letter was provided to Batty the previous day and copies were given to the Council tonight. She stated that there has been reference to the site as a water tower location throughout the development process, but believed that public input should be obtained and did not see a public hearing that had been held. She addressed the proposed location and the concern with the ability for the City to convert park land to utility use and the ability of the City to use park land for this type of use. She commented that this will be a lovely park and believed that a water tower could detract from the beauty and value of the park land. She referenced the site selection study that was done and stated that Mattamy is not opposed to placing the water tower on the site, but would not like to place the tower in the park itself. She asked that the tower be placed to the south near Meander and the commercial area that will neighbor that area. She stated that the water tower is a point of concern that is being brought forward by potential homeowners.

Weir stated that tremendous concessions were made to allow Mattamy to build to the density that they requested. She explained that the additional land and potential use allowed Mattamy to have lower density and to build the development they desired. She recognized that while Mattamy West was aware of the water tower, Mattamy East may have not been. She advised of other benefits that Mattamy received as a part of the agreement with the City. She explained that the site has been considered very carefully and advised of the benefits of this site for the water tower including public safety and fire purposes.

Pederson agreed with the comments made by Weir. He stated that as a Councilmember of Medina, part of his job is to find the best deal for the City and all of the residents. He recognized the concerns of the residents and noted that while the City would have this site secured as a potential water tower site, another site could come forward in the future as this is not planned for at least five years. He addressed the benefits of the site and the thought that has been put into this decision. He appreciated that everyone came to express their concerns, but noted that this land had been secured through the Resolution of approval for the preliminary plat for the development.

Martinson addressed the system that was used for scoring the sites and noted that the system only weighted operational aspects. She stated that there are also factors regarding aesthetics and believed that should be a part of the scoring system. She believed that the scoring system should be re-evaluated to include aesthetics. She stated that this site should be retained as a potential water tower site, but believed that the scoring system should be tweaked and that a review of properties should be done again in five to seven years.

Anderson agreed that the scoring system should be reviewed when the site is re-evaluated in five to seven years. He also recognized that this water tower does represent a quality of life and public safety for the residents. He stated that this is a terrific site for a water tower operationally and did not believe the City should let it go.

Weir questioned if Jaeb knew of other park land that would be available at a higher elevation similar to this location.

Jaeb stated that he did not see any major developments of that size in the near future.

Finke stated that additional sites could be evaluated, but noted that any other site would most likely also abut residential in another area. He advised that commercial property would require the City to purchase the site.

Weir stated that she believed that the Council owes public safety and water service to the residents of the City, but confirmed that she would be in agreement with moving the water tower site closer to Meander Road near the homes, which will face the commercial development. She stated that Mattamy entered this agreement with their eyes wide open.

Batty stated that he did provide a memo to the Council through the Council packet and explained that a water tower is not precluded from park sites, as you can drive around and find water towers in parks. He stated that even if this were park property, the City's water fund could reimburse the park fund, but believed that the most important thing to keep in mind is that not all the property that is going to be given to the City is going to be park dedication property. He advised that only about half of the park property will be taken in park dedication. He explained that it was to the developer's advantage to give the City additional land in return for being able to create the development that they desired at the given density levels. He stated that the water tower would not necessarily be built on park land as the land was obtained in addition to park land. He explained that this process did not require a public hearing and the bond sale that would be needed would also not require a public hearing. He advised that additional permits would be needed through the Watershed and the Department of Health, but again a public hearing would not be required. He stated that the City is providing transparency in this process by holding this meeting tonight. He explained that the meeting tonight will prevent others from coming forward in the future stating that they were unaware of the possibility. He advised that many things can happen in the next five to seven years and stated that this site may not be where a water tower would ultimately be built, but would be retained as a possibility.

Richard Lou acknowledged the comments made by Martinson and believed that additional factors should be considered in the weighting of criteria in the site review process that includes quality of life factors.

Martinson recommended that staff review and update the scoring system used in this process.

*Moved by Anderson, seconded by Pederson, to approve the identification of The Park at the Fields of Medina as the prospective location for future elevated water storage and to recommend that staff review and attempt to update the scoring system to include quality of life factors. **Motion passed unanimously.***

C. Woodridge Church – Variance from Maximum Building Size and Maximum Parking Spaces Allowed in the RPS Zoning District

Finke explained that there are two aspects of the variance request from Woodridge Church tonight, the first to exceed the 40,000 maximum square footage of the floor area, and also to exceed the maximum of 300 parking spaces. He explained that this request is different from usual requests as no construction is proposed at this time, but simply to hold the variances to allow for future expansion requests. He explained that all other aspects of code requirements would need to be met at the time expansions are

requested. He explained that the variances are in agreement with the settlement made with Woodridge Church and advised that the Planning Commission recommended unanimous approval of the request for that purpose. He provided additional information on the site and existing church structures, noting that staff would recommend combining lots prior to expansion. He noted that staff also recommends approval of the request.

Weir stated that this issue has a fairly long history and advised that through the settlement process both parties (the City and Church) are aware of the future of the site and what can ultimately be done on the site. She believed that this was a reasonable settlement for both the City and the Church.

*Moved by Anderson, seconded by Pederson, to direct staff to prepare a Resolution of approval of the requested variances (1) to permit the church structure to be up to a maximum of 85,000 square feet in floor area along with additional floor area for the existing residential structure to the southwest of the church (1542 County Road 24) (2) a variance to allow the total outside parking spaces on a site up to 400 parking spaces, with the finding noted in the staff report. **Motion passed unanimously.***

D. An Ordinance Adopting and Amending the Cable Television Franchise Granted by the Lake Minnetonka Communications Commission (LMCC)

Weir acknowledged all of the work that Judy Mallet has done on behalf of the City regarding this issue. She stated that although Crosby is not feeling well enough to be present tonight, he feels strongly that the City should not enter into a contract until the existing contract has been terminated. She believed that the action should be tabled and that the Council should simply provide input on the proposed Ordinance.

Johnson also acknowledged the amount of work Mallet has done on behalf of the City. He explained that staff has reached out to Sally Koenecke from the LMCC in order to negotiate an exit from the franchise agreement.

Brian Grogan, the legal counsel representing the City in this matter, stated that the key issue is that the City is part of a Commission now. He questioned if the action is going to move forward tonight or whether the conversation should be tabled. He explained that in passing this tonight the Council would adopt the action but it would not become active until the City withdraws from the LMCC. He commented that timing is crucial because he believed that Mediacom would begin with spring construction. He agreed that Mallet has done the lion's share of the negotiating.

Mallet stated that when this process began, the goal was to provide access to 100 percent of Medina residents, noting that it became clear that there were 30 miles of unserved customers. She explained that once Mediacom runs the cable, the concern was whether Medina residents would have to pay to connect to the cable. She advised that the agreement would cover 30 miles of cable in two to three years, with 500 feet of drop included for residents and a cost share option to split the remaining drop cost to connect customers. She advised that this would also assist the business corridor with broadband connection. She stated that there are tremendous benefits in this agreement.

Grogan explained that this would include multiple actions; the first to ratify the existing agreement with the LMCC and the second explaining that once the LMCC termination is complete this agreement will become valid. He explained that this would allow

Mediacom to begin construction in the spring. He stated that in his experience he has not seen this level of benefits included in a contract for a City of this size. He believed that the benefits of approving this action would be important tonight.

Martinson believed that this action would incorporate the spirit of Crosby's wishes.

Weir provided additional input noting that Crosby felt strongly that Medina should follow the integrity of the process between the City and LMCC to withdraw from the Joint Powers Agreement.

Johnson confirmed that Crosby would like to have the conversation with the LMCC prior to approving this agreement.

Weir questioned if two weeks would make that much of a difference.

Grogan stated that although it is only two weeks, he always worries that with a deal this good, only bad things can come from waiting.

Weir stated that she feels torn between Crosby's wishes and the action required tonight.

Grogan briefly reviewed the benefits that would be provided through this Franchise Agreement with Mediacom compared to what is currently offered through the LMCC. He advised of other large cities that he has recently represented in the Franchise Agreement process and again commended Mallet for her high level of negotiations.

Weir stated that she is in an awkward position as Crosby had expressed his opinion and she has huge respect for Crosby. She stated that fingers crossed she would hope that this agreement would hold the additional two weeks.

Pederson questioned the price cost of installation past 500 feet.

Grogan stated that the issue with installation past 500 feet is the unknown, whether you will go through wooded area or parking area, and the amount of amplification needed for the signal. He noted that there is a cost share mechanism included in the agreement.

Mallet provided additional information on installation past 500 feet, noting that it would be approximately four dollars per foot that would be cost shared at 50 percent for residents, which would be two dollars per foot.

Pederson questioned if the drop would be buried or above ground.

Mallet confirmed that the line would be buried, weather permitting.

Grogan noted that City code would need to be followed and explained that if the neighborhood has above ground wiring, Mediacom could use that, but if the lines are buried, Mediacom must bury.

Pederson clarified the service for the City that is specified in the contract. He questioned where construction would begin.

Mallet advised that the City is involved in identifying the priority areas for installation and the phasing of that installation.

Anderson questioned if the City would have the option to step back from the agreement after the first 15 miles are constructed in order to re-evaluate whether the remaining build out would be worth it.

Grogan stated that he did not think that Mediacom would agree to build out the first 15 miles without the commitment that the City would assist in financing the remaining 15 miles of cable because of the unique situation.

Jane Bremmer, legal counsel for Mediacom, stated that everyone has worked together to develop a unique partnership. She stated that if the City wanted to re-evaluate the agreement, Mediacom would also like that option. She confirmed that Mediacom has offered far beyond what they usually have offered, and what the City is currently receiving from LMCC, because of the unique option to partner. She urged the City to have their conversations with the LMCC in a timely manner in order to meet the short construction season in Minnesota.

Mallet stated that the public policy planning began over a year ago through full Council work sessions and at the direction of the Council at that time.

Martinson stated that this is a fantastic opportunity to build out this rural area. She also asked about the performance measures and standards.

Grogan advised of the measures included in the contract and measured by the FCC, but stated that the common person would not be able to understand the information in that report.

Weir briefly adjourned the meeting at 9:02 p.m.

Weir reconvened the meeting at 9:05 p.m.

Martinson explained that internet service providers often provide reliability statistics and stated that it is the type of statistics that she would like to see.

Grogan stated that currently that language is not included in the contract. He stated that there will be periodic outages and noted that while the cable is usually within that 99 percent range, he was unsure how to include the standard without enforcement ability. Bremmer stated that this is a cable television contract and does not include internet. She explained that there are many providers out there and there are competitive measures, which drive Mediacom to increase the speeds and reliability of the service. She explained that this installation would put a lot of fiber into the ground, which would provide security and provide additional information on the standby power ability. She explained that this is a cable television franchise and internet service is not included. She stated that they would be happy to share the publicly available statistics and explained that the company does not share trade secret information, including reliability statistics.

Scherer stated that he assumed that this would be all underground and explained that in the past there have been issues when the poles go away. He confirmed that Mediacom would pay to bury their line if the poles were to be removed and the other lines were to be buried.

Weir thanked all parties' involved and expressed regret in the position that the Council is in; that the action cannot be taken tonight. She asked that the action be tabled in respect to Crosby.

*Moved by Pederson, seconded by Martinson, to table the Cable Franchise Ordinance Adopting and Amending the Cable Television Franchise Granted by the Lake Minnetonka Communications Commission (LMCC) until the next Council meeting in two weeks. **Motion passed unanimously.***

Weir confirmed that Grogan would continue to represent the City in this matter.

Grogan advised of the order the action should be taken at the next Council meeting, in case he is not present at that meeting.

*Moved by Martinson, seconded by Pederson, to approve retaining the services of Brian Grogan to continue representing the City of Medina. **Motion passed unanimously.***

4- **Resolution Authorizing Publication of the Ordinance by Title and Summary**

E. **An Ordinance Granting a Franchise to Mediacom Minnesota LLC to Construct, Operate and Maintain a Cable System in the City of Medina**

1- **Resolution Authorizing Publication of the Ordinance by Title and Summary**

IX. **OLD BUSINESS (Continued)**

B. **2013 Contract with the Loretto Volunteer Fire Department**

Johnson stated that staff received a letter from Chief Leuer asking the City Council to table this request. He advised of an upcoming meeting that he and other City staff will attend.

Weir referenced section 5.2 and noted that performance measures were still not included, which could come into play should the City decide to terminate for cause. Belland stated that from the standpoint of the Fire Department, they are skeptical to include specific measures that could increase the cost for a rural area such as Medina. He noted that item would be addressed at the meeting the following day.

Weir referenced section 1.5 and the issue pointed out by Batty.

Batty stated that he rarely reviews fire contracts but noted that the Hamel contract and this contract came due at the same time and have a number of differences. He commented that there is really no description of the services, but noted that the six levels of service are now included, but questioned if definitions should also be provided, similar to the Hamel contract. He also questioned how the City would be able to terminate for cause when no service measures are provided. He stated that the Hamel contract actually has about a page of standards included.

Belland confirmed that these items can be discussed at the meeting the following day to solidify the language. He believed that Chief Leuer would better be able to answer these questions.

Martinson noted that when the Annual Reports are given by the Fire Chiefs each year they include a number of statistics and performance measures that could be used to rate service.

Weir confirmed that Pederson, Anderson, Johnson, Batty and Belland would attend the meeting the following day at 10:00 a.m. to further discuss the negotiations.

Moved by Pederson, seconded by Anderson, to table the Agreement by and between the City of Medina and the Loretto Fire Department contingent upon satisfactory City Attorney review until the next City Council meeting.

Further discussion: Belland stated that in regard to the Hamel issue, he believed that this issue should be worked through first because Loretto is attempting to accommodate five cities with this contract and noted that the Hamel issue will take much longer and could then be an addendum to this agreement.

Motion passed unanimously.

C. Preliminary Cost Estimate for Highway 55/County Road 116 Intersection

Johnson referenced the memo included in the Council packet, which included the preliminary costs for the Highway 55/County Road 116 intersection and briefly reviewed those estimated costs. He commented that more accurate numbers will be available in the future. He advised that two expensive road projects are coming up, this and the Tower Drive project and explained funding options. He noted that staff recommends using existing and future Municipal Construction State Road Aid funds for this and the Tower Drive projects.

Weir questioned if any other MSA eligible roads are proposed for reconstruction in the future.

Scherer advised that Chippewa would be an MSA road, but noted that total reconstruction would be required to the MSA standards in order to qualify. Kellogg advised of the rehabilitation versus reconstruction option for Chippewa.

Scherer noted that there are always things that pop up, but confirmed that these are the two major MSA projects that are present. He confirmed that staff recommends this course of action.

*Moved by Anderson, seconded by Pederson, to utilize existing and future Municipal Construction State Road Aid account funds for the Highway 55/116 intersection and Tower Drive projects. **Motion passed unanimously.***

X. CITY ADMINISTRATOR REPORT

A. Local Board of Appeal and Equalization Meeting – Open Book Review Meeting

Johnson reported that the City Council will hold the hearing for the Local Board of Appeal and Equalization on April 10th as the City is in compliance. He noted that Crosby asked that a special meeting be held at 5:45 p.m. on April 10th prior to the Local Board of Appeal and Equalization meeting.

*Moved by Pederson, seconded by Anderson, to hold a special meeting on April 10th at 5:45 p.m. **Motion passed unanimously.***

B. Letter to Hamel Fire Department

Johnson referenced a letter to the Hamel Fire Department and the attempt to consolidate the Hamel Fire Department and the Loretto Fire Department. The letter highlights timelines and deadlines. He noted that completion should occur by October 1, 2013 and significant progress should be proven by the first meeting in August. He asked for Council consensus to send the letter on behalf of the City of Medina and the City Council.

Belland stated that consultants are now on board and believed that language should be included in the letter to allow flexibility should the consultants recommend different action. He confirmed that the drop dead date should be included.

Pederson commended Johnson and Belland for their work.

Johnson confirmed Council direction to send the letter.

C. Grant Opportunity

Johnson advised of a grant opportunity and provided additional information.

*Moved by Pederson, seconded by Anderson, to approve the natural resources for critical habitat for the outlet at Lake Independence grant application. **Motion passed unanimously.***

D. Other

Johnson confirmed that the Randy's tour will take place on April 10th as scheduled.

XI. MAYOR & CITY COUNCIL REPORTS

Martinson stated that the Council has received various emails from members of the Hamel Fire Department and confirmed that direction should be given to those who inquire to contact Assistant Fire Chief Wolfe.

Anderson stated that he attended the Loretto Fire Department pancake breakfast the previous weekend and commended them for their delicious breakfast.

Pederson stated that he also attended the pancake breakfast and commended the food and crowd. He also thanked the Hamel Lions for their contribution to the Easter egg hunt the previous weekend. He advised that he also attended a Board of Appeals and Equalization training, the NEMO training, and the recent business forum and tour.

Weir advised that the business forum was well attended by approximately 40 people and noted that she also received positive feedback from those that attended. She also commented on the NEMO training, which was not as well attended, but a lot was

learned. She stated the planning and public works departments presented their considerable achievements towards improving water quality.

Johnson noted that it might make sense to make a similar presentation at a Council meeting to make that information public.

Scherer confirmed that similar information will be provided at an upcoming public meeting.

Weir and Pederson commended the Hamel Fire Department for their excellent response efforts in regard to an accident and fire that recently occurred.

XII. APPROVAL TO PAY THE BILLS

Moved by Pederson, seconded by Anderson, to approve the bills, EFT 002042E-002059E for \$33,942.53 and order check numbers 039525-039574 for \$246,883.05 and payroll EFT 504856-504880 for \$43,003.68 and payroll check 020407 for \$1,000.00.

Motion passed unanimously.

XIII. ADJOURN

Moved by Pederson, seconded by Anderson, to adjourn the meeting at 9:50 p.m.

Motion passed unanimously.

Elizabeth Weir, Acting Mayor

Attest:

Scott Johnson, City Administrator