

MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 5, 2011

The City Council of Medina, Minnesota met in regular session on April 5, 2011 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

Members present: Crosby, Pederson, Siitari, Martinson, Weir.

Members absent: None.

Also present: City Attorney Ron Batty, City Engineer Tom Kellogg, City Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Chad Adams and Recording Secretary Amanda Staple.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

Adams requested to add two items under New Business, item E, the Resolution Accepting the Resignation of City Administrator Chad Adams; and item F, to Schedule a Special Meeting on Wednesday, April 15th at 5:30 p.m.

*Moved by Weir, seconded by Pederson, to approve the March 15, 2011 special City Council meeting minutes as amended. **Motion passed unanimously.***

IV. APPROVAL OF MINUTES

A. Approval of the March 15, 2011 Special City Council Meeting Minutes

*Moved by Siitari, seconded by Pederson, to approve the March 15, 2011 special City Council meeting minutes as presented. **Motion passed unanimously.***

B. Approval of the March 15, 2011 Regular City Council Meeting Minutes

It was noted on page seven, line 15, it should state, "...increase in City dues duties..." On page seven, line 19, it should state, "...attendance at the Uptown Hamel Business Group Library meeting..."

*Moved by Pederson, seconded by Martinson, to approve the March 15, 2011 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Approve Cleaning Services Agreement for Hamel Field House W/Carlson Building Services, Inc.

B. Approve Kicks 4 Kids Soccer Agreement

C. Resolution Accepting 2011 Road Material Bids

D. Resolution Granting Extension of Time to Submit Final Plat for Fortuna Farms Amending Resolution 2010-77

*Moved by Weir, seconded by Siitari, to approve the consent agenda. **Motion passed unanimously.***

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

City Fire Marshal Loren Kohnen stated that he was surprised to hear that Adams would be resigning from his position. He thanked Adams for his support and cooperation and wished him the best in his new position. He provided an update regarding the fire inspections of commercial properties, which are currently being conducted, and suggested the Council visit the old feed mill in Hamel as it is very unique. He also noted that the Open Systems International, Inc. building is close to completion.

Crosby stated that in regard to the resignation of the City Administrator he was aware that Adams would like to make one more move in his career, to a city slightly larger than Medina. He advised that Adams was offered a position in Albert Lea and has accepted. He wished Adams the best and noted that a reception will be held in his honor on May 24th from 4:00 to 6:00 p.m. He stated that the Council has discussed the issue and has decided to hire an interim City Administrator and will use an executive search firm to fill the position permanently. He confirmed that there were funds available to facilitate the search.

B. Park Commission

Park Commissioner Jean Beaupre stated that she is new to the Park Commission and introduced herself to the Council. She advised that the Commission has begun to review the parks for future planning as well as the issues of landscaping and controlling buckthorn.

C. Planning Commission

Finke stated that the Council had already received an update from the previous Commission meeting and noted that the Commission would meet the following week. He advised that three public hearings will be held at the meeting and notices had been sent out.

VII. OLD BUSINESS

A. “The Enclave” – U.S. Home Corporation (Lennar)

Finke advised that this item is a culmination of several hearings which have been held since the previous summer, not only by the Council but also the Planning and Park Commissions. He explained the approvals which are requested tonight and explained the next steps, should those approvals be given tonight, which would lead to the approval of the final plat for the project. He advised that staff recommends approval of the requests.

Crosby confirmed that the Council had reviewed this project several times and that no new information was needed.

1. Ordinance Amending the Official Zoning Map to Rezone the Property Being Subdivided as “The Enclave”

*Moved by Weir, seconded by Siitari, to adopt the ordinance amending the official zoning map to rezone the property being subdivided as “The Enclave.” **Motion passed unanimously.***

Weir questioned if the developer was concerned with the amount of water on the site.

Terry Pernsteiner stated that he had been studying well levels and understood the water table in that area. He was not concerned with the amount of water on the site.

2. Resolution to Publish the Ordinance by Title and Summary

*Moved by Weir, seconded by Siitari, to adopt the resolution authorizing the ordinance to be published by title and summary. **Motion passed unanimously.***

3. Resolution Approving a Preliminary Plat with Variance for a Subdivision to be known as "The Enclave"

*Moved by Weir, seconded by Siitari, to adopt the resolution approving a preliminary plat with variance for a subdivision to be known as "The Enclave". **Motion passed unanimously.***

Crosby confirmed the timetable moving forward included possible final plat and development agreement approvals in May.

VIII. NEW BUSINESS

A. Resolution Ordering Hunter Drive (North) Reconstruction Improvement Project – Public Hearing

Adams stated that at the previous Council meeting the Council had requested this public hearing to be held prior to the approval for the project.

Kellogg highlighted the proposed project area and explained where certain improvements would occur, such as reconstruction of the road, adding in sections of trail that are missing, and replacing utilities.

Adams explained the funding for the project to include the developer's responsibility for 100% of the cost from Hamel Road to Elm Creek Drive, with the remainder of the road from Elm Creek Drive to Medina Road being split 50/50 between the City and developer, whose portion will be assessed against the new lots.

The public hearing was opened at 7:30 p.m.

Frank Mignone, 3316 Red Fox Drive, questioned if the road would be straightened out during the project.

Scherer advised that the roadway would be reconstructed in the same place because of right of way issues.

Connie Fourre questioned why the trail shifts from the east side of the road to the west side.

Scherer confirmed that the trail shifts because of existing trail connections and because of an existing wetland on one side of the roadway.

Finke advised that crossing the roadway would connect the trail to a park.

Fourre questioned if the roadway would be widened or just reconstructed.

Kellogg stated that in most cases the roadway would remain the same width with gravel shoulders. He noted that a portion of the roadway would have curb and gutter.

*Moved by Weir, seconded by Siitari, to close the public hearing at 7:35 p.m. **Motion passed unanimously.***

Pederson questioned if the catch basin proposed would handle the runoff problem near Hamel Road and Hunter Drive.

Kellogg confirmed that the intent is to solve the problem.

Pederson questioned if the size of the sewer and water pipes would be large enough for future development capacity.

Kellogg confirmed that the pipes would have a large enough capacity for future development.

Michael Fine, 550 Navajo, questioned the timeline for the project

Adams stated that on May 3rd the plans and specifications would be approved and the project would go out for bid; the contract would be awarded and bid accepted in early June, with construction beginning later in June.

Fine questioned if the project would be done in stages so that roadway would not be closed for the entire period.

Kellogg advised that the intent is to stage the reconstruction and be able to maintain local traffic throughout the project.

*Moved by Weir, seconded by Pederson, to approve the resolution ordering Hunter Drive (North) Reconstruction Improvement Project. **Motion passed unanimously.***

B. Hunter Ridge Farm

Finke stated that the final plat approval is before the Council for Hunter Ridge Farm, which received preliminary plat approval last fall. He noted that the conditions of the preliminary plat had been fulfilled and now final plat approval is requested.

Weir questioned if a condition could be added specifying that fencing would be required if grazing occurred on the lakeshore side of the property.

Finke suggested that language be added to the sixth condition to prevent grazing in the wetland buffer.

Crosby confirmed that the conditions of the preliminary plat approval had been met and no new information had been added.

Finke confirmed that those conditions had been met and advised that three agreements had been added for approval from the Council as well. He noted that staff recommends approval of the final plat as well as the three agreements.

1. **Resolution Granting Final Plat Approval for Hunter Ridge Farm, Located at 1382 Hunter Drive**

*Moved by Weir, seconded by Martinson, to approve the resolution granting final plat approval for Hunter Ridge Farm, Located at 1382 Hunter Drive. **Motion passed unanimously.***

2. **Agreement Related to Upland Buffer Establishment and Shed Removal, Upland Buffer Easement Agreement – Lot 1, and Upland Buffer Easement Agreement – Lot 2**

*Moved by Weir, seconded by Siitari, to approve the agreements as amended related to Upland Buffer Establishment and Shed Removal, the Upland Buffer Easement Agreement – Lot 1, and the Upland Easement Agreement – Lot 2. **Motion passed unanimously.***

C. **Eagle Scout Project Request to Construct Nature Benches – Jacob Eidenschink**

Scherer stated that this Eagle Scout has presented a project, rustic benches, to the Park Commission which approved the request. He advised that the Scout was now before the Council to make his presentation.

Jacob Eidenschink stated that his project is to construct six benches, which are six feet in length, and displayed a poster board with the proposed materials and pictures of the benches. He explained the proposed construction and size of the benches to the Council. He advised that the design for the benches, and pictures, had been taken from a previous Eagle Scout project done in Minnetonka which had been constructed about ten years ago and have held up well.

Pederson stated that he would prefer recycled plastic to be used rather than cedar.

Eidenschink advised that the intent is for the benches to be natural, so the wood coming out of the footings would be treated and the remaining wood would be untreated cedar. He projected a lifespan of 10 to 12 years, without vandalism.

Scherer stated that the plastic had been discussed but advised that Eidenschink has the funds for the project as it stands and explained that if the plastic was used it would add a large cost to the project. He suggested that the materials proposed be used, as it would not add additional cost and it would remain natural.

Park Commissioner Beaupre noted that the Eagle Scout is going to come along on the park tour and the Commission would choose the location for the benches.

Eidenschink estimated the budget for the project at about \$600, and noted that the project would be constructed in late June or early July.

Crosby stated that the Council appreciates his hard work and planning for this contribution to the parks.

*Moved by Pederson, seconded by Weir, to approve the Eagle Scout Project request to construct six nature benches and install them in Medina Lake Preserve and Rain Water Nature Area. **Motion passed unanimously.***

D. Storm Water Pollution Prevention Plan (SWPPP) – Annual Public Hearing

Scherer stated that a public hearing is required as part of the City's MS4 permit. He displayed a picture from a project completed the previous year on Holy Name Drive to show the spectrum of storm water projects. He reviewed the 2010 projects, equipment, and training for the Council. He identified the projects for 2011 and beyond including the Elm Creek Drive culvert, the Hamel Road/Tower Drive stormwater runoff project, to continue to use GPS equipment to track stormwater infrastructure, and to continue to follow minimum control measures. He reviewed the minimum control measures including pollution prevention and housekeeping, public education and outreach, public participation, illicit discharge detection and elimination, construction site storm water runoff control, and post-construction stormwater management. He identified partners in water quality improvements including the Three Rivers Park District, BWSR, Hennepin County Environmental Services, and Minnehaha Creek/Pioneer-Lake Sarah/Elm Creek water sheds.

Crosby confirmed that most of the project costs are paid through the storm water utility fund.

The public hearing was opened at 8:17 p.m.

*Moved by Weir, seconded by Siitari, to close the public hearing at 8:17 p.m. **Motion passed unanimously.***

E. Resolution Accepting the Resignation of City Administrator Chad Adams

*Moved by Crosby, seconded by Weir, to approve the resolution accepting the resignation of City Administrator Chad Adams. **Motion passed unanimously.***

F. Schedule a Special City Council Meeting for April 15, 2011

*Moved by Weir, seconded by Pederson, to schedule a special City Council meeting for April 15, 2011 at 5:30 p.m. **Motion passed unanimously.***

IX. CITY ADMINISTRATOR REPORT

A. Planning Staff Resources and Water Resource Planning

Adams stated that a full time planning position had been budgeted for half of the year and explained that staff would rather use a part-time associate planner for nine months. He summarized the responsibilities this position would handle and requested Council approval to post for the position internally and on the City website.

*Moved by Martinson, seconded by Weir, to approve the part-time temporary Associate Planner job description and post for the position for 10 days. **Motion passed unanimously.***

Adams advised that staff would also need assistance in regard to water resources planning, as staff is starting to get overburdened by the Watershed meetings and technical issues regarding water resources. He advised that there are funds available for this position and noted that staff would like to prepare an RFP for the scope of services which would be needed for the water resources consultant. He advised that the RFP could be reviewed as early as the next Council meeting on April 19th.

Crosby thanked Weir for her contribution to the water resources issues and agreed that some of the issues are pushing technical boundaries which Weir may not be able to handle. He stated that some of the surrounding communities are not paying as much attention to these issues as the City of Medina is and suggested that the City influence those communities to take a bigger interest in the issues.

*Moved by Weir, seconded by Siitari, to direct staff to prepare an RFP for the scope of services of a water resource consultant. **Motion passed unanimously.***

B. Business Forum Report

Adams stated that the business forum was held recently and provided an update on that event. He reviewed some of the comments which had been made by the businesses in attendance including a concern over the 50 day limitation regarding transient merchants. He also questioned if the Council would like to hold another business forum and whether the Council would like to send out a follow up note to the businesses.

Crosby confirmed that the transient license was for the greenhouse at the Medina Ballroom and agreed that the Council could review the ordinance at a future meeting to possibly extend the time limit.

Martinson questioned if a variance could instead be issued.

Adams explained that it would be easier to clarify the ordinance and suggested that the ordinance be reviewed, possibly at the May 3rd meeting. He questioned the next steps in regard to the business forum.

Crosby agreed that a follow up thank you letter should be sent out to the businesses in attendance. He believed that the business forum allowed a good opportunity for the businesses to bring forward issues or concerns. He suggested that another business forum be held and believed that the Council should rotate attending the forums.

C. Loretto Ball Field Storm Water Project – Wetland Delineation

Adams stated that staff has been applying for grants for this project to complete a wetland delineation and hoped to share the cost between the City, Loretto and Corcoran.

*Moved by Siitari, seconded by Weir, to approve participate in the cost share of the wetland delineation expense and to direct staff to receive quotes for the work. **Motion passed unanimously.***

X. MAYOR & CITY COUNCIL REPORTS

A. Public Facilities Focus Group Report

Weir reviewed the members in attendance at the meeting and summarized the questions that were asked to the focus group. She also provided comments that were made by the group including that the newsletter should be e-mailed to those interested, the project should involve public education and involvement and that the public works facility should be discussed alone at this point.

Crosby stated that he believe that additional focus groups should be conducted.

Adams advised that the issue would be discussed further at the meeting on April 19th, along with possibly holding neighborhood meetings rather than focus groups.

B. Deer Crossing Signs on County Road 19

Weir stated that she received an e-mail from a resident regarding someone whom is feeding the deer. She advised that in the past three to four years, eight accidents had occurred in that area between a vehicle and a deer. She suggested contacting the County to determine if a deer crossing sign could be posted.

Crosby stated that the problem with that issue is that the deer do not read signs well. He questioned the liability of the City if a sign is posted in that location and an accident occurs in another location.

Batty did not believe that the City would be liable in a situation of that nature.

Weir stated that she would speak to the homeowner and try to deter that person from feeding the deer.

Scherer stated that he would speak with the County to determine the criteria for posting a sign.

C. Other

Crosby believed that the City should use Clean-Up Day to bring to attention of those attending the event to show the need for a public works building. He suggested that at the registration something should be posted stating that attendees can informally tour the building. He also suggested having a sign-up sheet where residents could sign-up with their e-mail address for the City lists. He advised that he had also received a letter from the Loretto Fire Department stating that they would like to discuss the inequities in the current method that is used to determine fees for fire services for the communities they serve. He explained that the existing contract is based on market values and the City of Loretto would like to use a contract based on usage and CPI.

Weir commented on an article which discusses the effects of salt on lakes.

XI. APPROVAL TO PAY THE BILLS

*Moved by Weir, seconded by Pederson, to approve the bills, EFT 001072-001097 for \$150,084.25 and order check numbers 036715-036771 for \$72,104.69, and payroll EFT 503383-503436 for \$91,005.91. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Weir, seconded by Siitari, to adjourn the meeting at 9:00 p.m. **Motion passed unanimously.***

T.M. Crosby, Jr., Mayor

Attest:

Chad M. Adams, City Administrator-Clerk