

## MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 19, 2011

The City Council of Medina, Minnesota met in regular session on April 19, 2011 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

### **I. ROLL CALL**

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

**Members absent:**

**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 remove item 5B, Approve Development Agreement By and Between City of Medina for Holy Name of Jesus Church, from the agenda as additional work is required.

*Moved by Weir, seconded by Martinson, to approve the agenda as presented. **Motion passed unanimously.***

### **IV. APPROVAL OF MINUTES**

#### **A. Approval of the April 5, 2011 Special City Council Meeting Minutes**

*Moved by Weir, seconded by Siitari, to approve the April 5, 2011 special City Council meeting minutes as amended. **Motion passed unanimously.***

#### **B. Approval of the April 5, 2011 Regular City Council Meeting Minutes**

It was noted on page two, line ten, it should state, "...fire inspections of commercial properties." On page two, line 20, it should state, "...confirmed that there were funds available to facilitate the search in the city budget." On page, two, line 36, it should state, "...issues of landscaping and controlling buckthorn." On page three, line 36, it should state, "...developer, whose portion will be assessed against the new lots." On page three, line 31, it should state, "...sections." On page four, line 44, it should state, "...fencing would be required if grazing occurred on the lakeshore side of the property." On page eight, line 31, it should state, "...salt on snakes lakes."

*Moved by Weir, seconded by Pederson, to approve the April 5, 2011 regular City Council meeting minutes as amended. **Motion passed unanimously.***

#### **C. Approval of the April 13, 2011 Special City Council Meeting Minutes**

*Moved by Weir, seconded by Siitari, to approve the April 13, 2011 special City Council meeting minutes as presented. **Motion passed unanimously.***

#### **D. Approval of the April 13, 2011 Local Board of Appeals and Equalization Meeting Minutes**

Crosby noted that on page two, under Sean Stephens, the original assessment amount should be provided.

*Moved by Weir, seconded by Martinson, to approve the April 5, 2011 special City Council meeting minutes as amended. **Motion passed unanimously.***

**V. CONSENT AGENDA**

- A. **Approve Software Services Support Agreement with Resource Information Associates, Inc.**
- ~~B. **Approve Development Agreement By and Between City of Medina for Holy Name of Jesus Church**~~
- C. **Resolution Approving a Site Plan Review and Conditional Use Permit for Holy Name Cemetery Located at 52 County Road 24**
- D. **Resolution Certifying Delinquent City Charges for Services to the Hennepin County Auditor for Collection in 2012**

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

**VI. PRESENTATIONS**

**A. Hennepin County Sheriff Richard Stanek**

Hennepin County Sheriff Richard Stanek introduced himself to the Council and residents present and provided a brief summary of his career. He also introduced Kip Carver, an investigator in attendance with him. He provided the strategic plan, mission statement and vision statement of the Sheriff's office. He then provided background information on the Sheriff's office including the area serviced by the office as well as the nine lines of business for the Sheriff's office. He reviewed and provided information regarding the jail, 911/dispatch, patrol, crime lab, and investigations. He stated that a new 911 emergency communications facility has been approved and will be located in Plymouth. He provided information regarding the new facility and advised that the Sheriff's office is requesting that cities within the service area pass a resolution of support for the facility, and noted that bonding would also be attempted. He summarized statistics from the Sheriff's office for 2010, including violent crime, and continued to provide information regarding the lines of business including warrants, court security, personnel/training, and civil process.

Crosby stated that it seemed the decision had been made to move forward on this facility and questioned why the resolution was being requested.

Stanek advised that the site and schematics had been approved and the design was being discussed at this time. He advised of the steps that would need to take place and advised that the resolution would assist in moving forward with those additional steps.

**1. Resolution Supporting Hennepin County Sheriff's New Regional 911 Emergency Communications Facility**

*Moved by Weir, seconded by Martinson, to approve the resolution supporting Hennepin County Sheriff's new regional 911 emergency communications facility. **Motion passed unanimously.***

Stanek commended the Medina police force and Chief Belland for their extraordinary work and the high level of service provided.

**B. Hunting Task Force Findings and Recommendations**

Belland stated that a resident had brought forward a concern regarding hunting within the City and the proximity of the activity to their property. He advised that a hunting task force had been formed to discuss the hunting ordinance within the City and to make recommendations regarding hunting within Medina. He provided background information regarding the existing hunting ordinance and the number, and type, of complaints received in regard to the activity each year. He advised that the issue of safety in regard to hunting was very minimal within the City of Medina. He explained the permitting process and noted that 92 percent of those requesting permits are not residents of Medina. He advised that hunting continues to downtrend as the amount of development in the City increases. He stated that the hunting task force developed the following findings: hunting is a part of Medina's history and rural character; the City has the responsibility to regulate hunting through the discharge ordinance; overall the number of complaints are low in Medina; the majority of complaints are in a specific area; hunting continues to decline over time; and public education needs to be a part of any regulation changes.

Crosby confirmed that if Medina were to disallow hunting, the City would then be responsible for control of the animal population.

Belland reported the recommendations of the hunting task force beginning with designating a sensitive hunting area (SHA). He explained the SHA and what would be included, such as the borders for the areas. He then reviewed the administrative rules which included written permission from all landowners within whose setbacks hunting is proposed prior to issuing a permit; trespassing on another's property without permission is not allowed, even if pursuing an injured animal; it would be a violation for shot pellets to fall onto someone's property where the hunter does not have permission; the number of hunters per parcel should be limited to the owner plus three others at one time; no hunting before a half an hour before sundown or half an hour after sunrise; and additional law enforcement during early goose season. He advised that vermin and coyote control would be exempt from the time limitations. He noted the first violation could then result in permit revocation for the season, while a second violation could result in permit revocation for life. He then reviewed the recommendations regarding control measures, archery hunting, education program, ordinance cleanup, and disclaimer language. He asked for the permission of the Council for himself to work with Batty to develop language for the ordinance.

Carolyn Smith, 545 Medina Road, believed the public must also be educated regarding wildlife in this area and how to protect small household animals from coyotes or other wild animals.

Jim Simons, 1862 Morgan Road, stated that he attended most of the meetings of the hunting task force and agreed with most of the recommendations. He discussed archery and the effect of the proposed setback on that type of hunting. He stated there are very few accidents with bow hunting, and believed that honest, ethical hunters would respect property lines. He asked that the Council consider the effects a large setback requirement could have on bow hunting. He discussed the concept of different setbacks, where bow hunting is directed away from the affected landowners.

*Moved by Weir, seconded by Siitari, to direct staff to prepare revisions to the Hunting regulations ordinance. **Motion passed unanimously.***

## **VII. COMMENTS**

### **A. Comments from Citizens on Items not on the Agenda**

There were none.

### **B. Park Commission**

Park Commissioner Janet White advised that the Commission had not met since the previous Council update. She noted that the Park Commission would meet the following night and advised of the items that would be discussed, including landscaping projects, the Uptown Hamel library. She reported that the annual park tour would take place on Saturday, May 14<sup>th</sup>, at 10:00 a.m. and invited interested members of the public to attend.

### **C. Planning Commission**

Adams noted that the Planning Commission discussed a concept plan from Pemtom for single-family housing and future multi-family and commercial uses on property located just south of Foxberry Farms, which the Council will review on May 3<sup>rd</sup>.

Finke advised of other items which had been discussed at the meeting and would be heard by the Council at their meeting on May 3<sup>rd</sup>, including a request to tear down and rebuild a home and a request for a commercial dog-boarding facility.

## **VIII. NEW BUSINESS**

### **A. Hamel Athletic Club Request for Additional Portable Toilets at Hamel Legion Park**

Adams stated that this request had been reviewed the previous year and advised of the Council decision at that time. He advised that the Hamel Athletic Club (HAC) is requesting additional portable toilets at Hamel Legion Park, not only for increased use, but also because of safety concerns in crossing the parking lot. He noted that permanent outdoor bathrooms have been constructed by the City with significant expense invested to eliminate portable toilets and are located at the Community Building and also in the Field House. He advised that staff also discourages additional portable toilets because of aesthetics. He stated HAC is willing to pay for the toilets. Adams also stated that the Public Works Department would be painting a crosswalk on the parking lot to mitigate safety concerns.

Dino DesLauriers, HAC, explained that the request includes three additional portable toilets. He advised that the one proposed near the tennis court could be eliminated, but stressed that the other two portable toilets are being requested for safety concerns. He noted that several of the children are very small and young in age; he was concerned with the children crossing the parking lot. He confirmed that the Athletic Club would pay for the portable bathrooms.

Pederson stated that he visited the site and shared the safety concern for small children crossing the parking lot. He believed that at least the two locations should be approved.

Crosby stated that he would be in favor of the two locations, removing the request for the location near the tennis court.

*Moved by Weir, seconded by Pederson, to approve two additional portable toilets in the northern locations at Hamel Legion Park. **Motion passed unanimously.***

## **IX. CITY ADMINISTRATOR REPORT**

### **A. Schedule Special Meeting for May 3, 2011**

Adams requested to schedule a special meeting on May 3<sup>rd</sup> at 6:00 p.m. to meet with Interfaith Outreach and possibly Common Bond to discuss workforce housing.

*Moved by Weir, seconded by Pederson, to schedule a special meeting for Tuesday, May 3, 2011 at 6:00 p.m. at Medina City Hall. **Motion passed unanimously.***

### **B. Update on Horse Trail Removed from Baker Park**

Adams provided a map of Baker Park and noted that Three Rivers Park has removed a section of the horse trail from the map and the park. He noted that staff requested information from Three Rivers Park as to why that section of trail had been removed, but noted that staff had not received a response at this time.

Weir stated that she had spoken with Tom McDowell who confirmed the trail north of CR24 has been removed. She conjectured that Bakers Park was nearing the 80/20 land use designation, meaning that 80 percent of the park should remain wild and 20 percent of the park could be active use/developed.

Park Commissioner Ann Thies advised that those sections of trail had not been mowed during the last year and the signs were actually removed at the end of the year. She noted that the Park Commission had planned connections to those trails, but now believed that Three Rivers Park was discontinuing the use of horse trails.

Adams stated that he would continue to update the Council once a response is received as to why the horse trail has been removed.

## **X. MAYOR & CITY COUNCIL REPORTS**

Crosby stated that Weir had brought forth the issue of City benefits and requested that issue be discussed prior to the exit of Adams.

Adams advised that additional information should be received by the end of this month and would be discussed at the special meeting on May 17<sup>th</sup>.

Crosby and Adams provided an update on the search for a new City Administrator.

Weir asked for progress updates on different issues, including tree removal and dog kennels. Finke provided an update on both items.

## **XI. APPROVAL TO PAY THE BILLS**

*Moved by Weir, seconded by Pederson, to approve the bills, EFT 001098-001120 for \$64,222.81 and order check numbers 036772-036819 for \$129,349.36, and payroll EFT 503438-503467 for \$44,527.44 and payroll checks 020342-020343 for \$405.23. **Motion passed unanimously.***

**XII. CLOSED SESSION: LAND ACQUISITION**

The meeting adjourned to closed session at 8:50 p.m. to discuss land acquisition at 1600 Prairie Drive and property identified as PID 10-118-23-21-0001.

The Council returned to open session at 9:30 p.m.

*Weir moved, Siitari seconded, to approve the Option Agreement by and between Hennepin County and the City of Medina as amended. **Motion passed unanimously.***

**XIII. ADJOURN**

*Moved by Weir, seconded by Martinson, to adjourn the meeting at 9:31 p.m. **Motion passed unanimously.***

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T.M. Crosby, Jr., Mayor

Attest:

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Chad M. Adams, City Administrator-Clerk