

MEDINA CITY COUNCIL MEETING MINUTES OF MAY 6, 2014

The City Council of Medina, Minnesota met in regular session on May 6, 2014 at 7:00 p.m. in the City Hall Chambers. Mayor Weir presided.

I. ROLL CALL

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

Members absent: None.

Also present: City Administrator Scott Johnson, City Attorney Ron Batty, City Planner Dusty Finke, Public Works Director Steve Scherer, Finance Director Joe Rigdon, City Accountant Erin Barnhard, Chief of Police Ed Belland, and Recording Secretary Amanda Staple.

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

III. ADDITIONS TO THE AGENDA (7:02 p.m.)

Weir stated that she has been asked to speak to the Bridgewater Homeowners Association and clarified that other Councilmembers were not invited to attend so a special meeting would not be necessary.

The agenda was approved as presented.

IV. APPROVAL OF MINUTES (7:03 p.m.)

A. Approval of the April 15, 2014 Special City Council Meeting Minutes

Weir stated that she received comments from a resident in regard to the minutes and items the resident believed should be included in the minutes or were not discussed but should be included in the minutes.

Johnson stated that he had drafted the minutes and took responsibility for any information that was not included. The Work Session minutes are not a verbatim record of the meeting. Historically, the minutes have been a summary of main discussion points. He noted that information could be added to the draft minutes.

Weir reviewed some of the comments that were made by the resident and suggested adding the names of the Dominion Representatives to the minutes.

It was noted on page one, the third line from the bottom, it should state, "Council Member Anderson ~~was still thinking about the project and was leaning toward not support the fee waiver~~ said he was struggling to get to a yes vote and had serious reservations about the project."

*Moved by Anderson, seconded by Pederson, to approve the April 15, 2014 special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the April 15, 2014 Regular City Council Meeting Minutes

It was noted on page one, line 35, it should state, "...to object to the policies..." On page three, line 47, it should state, "...regarding easements on the south side of Shawnee"

Woods Trail have been resolved.” On page six, line 23, it should state, “She referenced the double frontage lots ~~and agreement of~~ and the effect of the development on adjacent landowners, and asked for additional information in regard to screening that the support of adjacent landowners be provided as well as additional information in regard to the shielding. On page six, line 39, it should state, “He acknowledged that it may not be fair to ~~the later coming~~ future developers, but believed that there needs to be a solution to the traffic problem. On page seven, line 11, it should state, “...~~exist~~ exit...” On page eight, line seven, it should state, “...Well ~~It~~ No. 8...” On page eight, line 37, it should state, “Weir stated that the Elm Creek Watershed District is ~~advocating making~~ holding the local government units responsible for the maintenance of storm ponds. She believed that the storm ponds should be placed on ~~an~~ a five year inspection...”

*Moved by Martin, seconded by Anderson, to approve the April 15, 2014 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:12 p.m.)

- A. Approve Compost/Brush Site Sharing Agreement with the City of Loretto
- B. Approve Installation Services Agreement with DesLauries and Sons, Inc.
- C. Approve First Amendment to Tennis Court Rental Agreement with Carrie Agre
- D. Approve SCADA Computer Replacement for Water Treatment Plant and Independence Beach Controls Upgrade
- E. Schedule Concurrent Meeting with the Park Commission for the Park Tour on May 21, 2014 at 5:30 p.m.
- F. ~~Call for Special Meetings on May 28, 2014 and May 29, 2014 from 5:30 p.m. to 7:30 p.m. for Affordable Housing Open Houses~~
- G. Close City Hall from 8:00 a.m. until Noon on May 20, 2014 for Employee Training
- H. Resolution No. 2014-29 Approving Proposed Transfers and Assignments of Fund Reserves
- I. Resolution No. 2014-30 Granting Extension of Time to Submit Final Plat for Fawn Meadows Amending Resolution 2014-08

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

F. Call for Special Meetings on May 28, 2014 and May 29, 2014 from 5:30 p.m. to 7:30 p.m. for Affordable Housing Open Houses

Weir stated that the Council has received an amazing amount of emails regarding the proposed Dominion affordable housing development. She stated that originally the meetings were going to be formatted as open houses but believed that a better format would be a town hall where a brief presentation will begin each session.

Anderson questioned the appropriateness of representatives connected with the development to make a presentation to the public at these meetings. He believed that these sessions should allow residents to speak.

Weir stated that her vision would be that the presentation would be very brief in order to provide correct information. She believed that presenting facts would allow for a better discussion.

Anderson stated that he would compromise if the presentation was composed of slides and would be brief and if the majority of the time is allowed for residents to speak.

Martinson believed that once the facts are known some of the objections will be eliminated and discussion could then focus on relevant issues.

Anderson questioned if the meeting would be better suited for the new Public Works and Police building, or the Hamel Community Center.

Weir believed that City Hall would be appropriate and noted that additional chairs could be brought into the room.

*Moved by Martin, seconded by Anderson, to call special meetings on May 28, 2014 and May 29, 2014 from 5:30 p.m. to 7:30 p.m. for affordable housing town halls. **Motion passed unanimously.***

VI. COMMENTS (7:19 p.m.)

A. Comments from Citizens on Items not on the Agenda

Frank Mignone spoke in regard to the proposed affordable housing development and believed that the City needs to take their time on this matter in order ensure that the Council is speaking in representation of the residents. He did not believe that enough information has been presented in order to make a decision and stressed that the Council represents the residents and not the companies involved.

Timm Stoffel, Foxberry Farms resident, asked that the Council prepare factual information for the town hall meetings. He agreed that there is misinformation out there and noted the common interpretation is that this deal has been done and the decision has already been made.

B. Park Commission

Park Commissioner Olkon reported that at their last meeting, the Park Commission was going to tour some of the parks but had been rained out. He advised that the Commission has also been discussing the issue and location of a dog park, noting that the best location appears to be at Tamarack and Highway 55. He noted that the location will be featured on the park tour.

Weir stated that it may be helpful to include residents for the dog park location portion of the park tour as there has been resident input on the issue.

Olkon highlighted the benefits of the dog park location including that the area is already City owned.

Weir stated that the Council previously discussed moving forward on this issue as simply a concept. She did not believe that development within Medina requires this amenity at this time and did believe that the time would come for at least two years; noting that Plymouth has a dog park. She did believe that planning for the future is a good idea and stated that no dog park funding is included in the Park and Recreation five year Capital Improvement Plan.

Scherer reported that the Park Commission meeting was held at the Hamel Community Building in order to tour Hamel Legion Park and discuss drainage issues.

Martinson commented that she did not believe it would be appropriate for Medina residents to use the Plymouth dog park as Plymouth taxpayers funded that amenity.

C. Planning Commission

Finke reported that the Planning Commission will meet the following week to consider two items. He advised that the Commission will hold a public hearing to consider an amendment to the industrial park zoning district regarding loading dock regulations. He advised that the Commission will also complete a site plan review involving a variance for expansion of a parking lot and a new storage building. He noted that the variance is regarding load docks requirements and advised that the items are therefore linked.

VII. NEW BUSINESS

A. Well No. 8 Improvements (7:31 p.m.)

Scherer advised that a representative from WSB is present to answer any questions the Council may have regarding the draft proposal for the project. He confirmed that the City is going to test the site but assumes the water to be similar to that found at the location of Well No. 5. He advised that the City has already received payments from Lennar, as agreed upon, and noted that the City must move forward in order to have water available the next year. He stated that he has been working on these plans for the past several years and believed the scope of services was well drafted by WSB.

Tom Roushar, WSB, discussed the storage requirements of chemicals used for water treatment. He noted that this well has flexibility built into it and could be used for irrigation purposes at the Brockton development, could be routed to the well house, or could be routed to the treatment center. He advised that it is also cost effective to add to the current well house rather than constructing a new one.

*Moved by Pederson, seconded by Anderson, to accept the draft proposal from WSB Engineering Services and move forward with the project. **Motion passed unanimously.***

B. Hamel Haven Final Plat – 805 Hamel Road (7:40 p.m.)

Finke presented the Final Plat request for the property located at 805 Hamel Road and provided a brief summary of the request. He stated that staff believes the conditions of the original Plat have been met and recommend approval of the request.

Martin asked for additional information regarding the possibility of removing some of the accessory buildings that exist on the site.

Joe Cavanaugh stated that he believed the sheds would be removed in the future but did not have plans for that with this action. He confirmed that the property is currently rented to a third party.

Martin stated that perhaps when the lease is renewed a requirement could be made for one of the sheds to be removed. She stated that perhaps language could be added to the Development Agreement.

Cavanaugh stated that he would not wish to add more language to the Development Agreement but would continue to work with staff on the issue.

Weir confirmed that the staff recommendation would be to install the rain garden and storm pond first.

Anderson stated that he would like to include the language regarding removal of one of the accessory structures when the lease is renewed.

Cavanaugh stated that he would be amicable to working with City staff and would not like the language included.

Martin referenced item four and requested to add additional language stating that the plan would also include a means to preserve the 28-inch Oak tree if possible which would result in less replacement inches.

1. **Resolution No. 2014-31 Granting Final Plat Approval for Hamel Haven**

*Moved by Pederson, seconded by Anderson, to approve Resolution No. 2014-31 Granting Final Plat Approval for Hamel Haven, amending item four to include language which states that the plan will also include a means to preserve the 28 inch Oak tree is possible which would result in less replacement inches. **Motion passed unanimously.***

2. **Development Agreement by and between the City of Medina and JJC Hamel, LLC**

*Moved by Pederson, seconded by Anderson, to approve the Development Agreement by and between the City of Medina and JJC Hamel, LLC. **Motion passed unanimously.***

C. **Pioneer-Sarah Creek Third Generation Watershed Management Plan Review (7:55 p.m.)**

Mike McLaughlin, Medina representative to the Pioneer-Sarah Creek Watershed District stated that the draft has been sent to the member City Councils with intent to receive feedback. He noted that Pat Wulff, Medina's alternate, is also present.

Weir stated that there seems to be a disconnection between the goals and the budget.

McLaughlin stated that he also had that concern and believed that BWSR and the PCA will share that concern. He believed that perhaps Medina should also bring that issue forward as a comment. He highlighted portions of his report regarding the Third Generation Plan, specifically regarding budget concerns and shortages.

Weir stated that the focus of the Elm Creek Watershed District is improving water quality and their budget is supportive of their goals, noting that their budget is much different from the proposed budget of the Pioneer-Sarah Creek Watershed District.

McLaughlin referenced the issue of a Citizen's Advisory Council (CAC) noting that some are very against the idea but he believed that volunteers working with the organization could only provide benefit.

Weir thanked McLaughlin and Wulff for their contributions on behalf of Medina.

It was the consensus of the Council to support the comments of Medina representative Mike McLaughlin and identifies a clear disconnect between the budget and the goals.
Motion passed unanimously.

D. Elm Creek Watershed Tax Options (8:06 p.m.)

Weir stated that she represents the City in regard to the Elm Creek Watershed District and advised that there is an interest to request Hennepin County to go to an ad valorem tax for the Watershed District area. She stated that the issue has not been decided at this time but wanted to pass the knowledge on to the Council.

E. Steven McDonald, Abdo, Eick and Meyer – 2013 Annual Financial Report (8:08 p.m.)

Steve McDonald presented the results of the 2013 Annual Financial Report reporting that the City received an unmodified or clean opinion on the financials. He reported that there were no audit findings or State Statute findings. He reviewed other required communications to the Council and advised that Medina staff was well prepared for the auditors' visit. He reviewed the general unassigned fund balance compared to the budget and advised that the City has an adequate fund balance. He provided a brief summary of the financial information.

Martin questioned if there are innovative financial policies used by other municipalities that could be beneficial to Medina.

He stated that some municipalities attempted to move forward with street improvement districts but noted that item failed through the legislature. He noted that practice is used in other states. He did not believe that there were specific practices that could be used by Medina.

Anderson and the Council commended Teri Portinen, Erin Barnhart, and Joe Rigdon for their efforts in preparing the financial information for the audit.

*Moved by Anderson, seconded by Pederson, to accept the 2013 Annual Financial Report. **Motion passed unanimously.***

VIII. CITY ADMINISTRATOR REPORT (8:21 p.m.)

A. Commuter Bus Survey

Johnson stated that the results of the survey were included in the Council packet. He advised that he and Weir met with staff from Plymouth and Metro Transit to review the results and it was determined that Medina is not at the point where the City could support their own park and ride location. He noted that staff will alert residents to neighboring park and ride locations in the August newsletter and can continue to investigate the possibility of transit in the future. He advised that staff will post these results on the website for residents to review.

B. Other

Johnson stated that Dominion has asked that the Council tour their Albertville facility. He suggested May 8th, 13th, or 14th at 6:30 p.m.

Weir stated that she and Johnson toured the Common Bond location and she was pleased to see the clean building with activities and children playing. She believed that a tour would be informative for the Council to see a similar project to what is proposed.

Johnson confirmed the date of May 13, 2014 at 6:30 p.m.

IX. MAYOR & CITY COUNCIL REPORTS (8:26 p.m.)

Pederson reported that he had a great time at Clean-Up Day and commended staff and the Boy Scouts for their efforts as well as the resident volunteers. He advised that he also attended the Loretto Volunteer Fire Department breakfast, which was outstanding.

Anderson stated that he also attended the Loretto Volunteer Fire Department breakfast and had a great time. He reported that he and Belland previewed the new LUCAS machine at the Hamel Volunteer Fire Department, noting that the Council contributed towards the funding of the machine, which will assist first responders with CPR and believed that the purchase was a great addition.

Martin reported that the Planning Commission continues to do excellent work.

Weir also thanked staff and the residents that volunteered at Clean-Up Day for their efforts towards the successful event. She also thanked Pederson for his donation of the trees. She thanked the Boy Scouts for their clean-up efforts along the ditches.

X. APPROVAL TO PAY THE BILLS (8:30 p.m.)

*Moved by Pederson, seconded by Anderson, to approve the bills, EFT 002577E-002601E for \$57,595.83, and order check numbers 041159-041236 for \$195,960.13, payroll EFT 505616-505639 for \$44,092.45 and payroll check number 020425 for \$571.91. **Motion passed unanimously.***

XI. ADJOURN

*Moved by Anderson, seconded by Martin, to adjourn the meeting at 8:31 p.m. **Motion passed unanimously.***

Elizabeth Weir, Mayor

Attest:

Scott Johnson, City Administrator