

## MEDINA CITY COUNCIL MEETING MINUTES OF MAY 16, 2017

The City Council of Medina, Minnesota met in regular session on May 16, 2017 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 Jim Stremel, City Planner Dusty Finke, Public Works Director Steve Scherer, and Chief of Police Ed Belland.

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

### **III. ADDITIONS TO THE AGENDA (7:01 p.m.)**

The agenda was approved as presented.

### **IV. APPROVAL OF MINUTES (7:01 p.m.)**

#### **A. Approval of the May 2, 2017 Regular City Council Meeting Minutes**

Johnson noted that Martin provided some corrections to the minutes that have been distributed to the Council at the dais and will be incorporated into the minutes.

It was noted on page three, line five it should state, "...commercial use." On page three, line seven, it should state, "...have ~~a couple of small chicks, estimating about...~~" On page four, line 20, it should state, "...perhaps you the City..." On page five, line 17, it should state, "...policy regarding senior housing..." On page six, line 25, it should state, "...to have review the sight lines from Baker Park Reserve, as they the City..." On page eight, line 26, it should state, Anderson stated that having an approved new Comprehensive Plan assumes November is assuming that a lot of things go right, ~~but~~ But that is not a guarantee as..." On page nine, line 29, it should state, "...the City communicates clearly with residents on how the new process..."

*Moved by Anderson, seconded by Pederson, to approve the May 2, 2017 regular City Council meeting minutes as amended. **Motion passed unanimously.***

### **V. CONSENT AGENDA (7:05 p.m.)**

- A. Approve Hamel Fire Department Acknowledgement of Financing and Written Agreement**
- B. Approve Agreement for Advanced Subsurface Sewage Treatment Systems Inspections**
- C. Resolution No. 2017-32 Entering into Master Partnership Contract with the Minnesota Department of Transportation**
- D. Resolution No. 2017-33 Accepting Resignation of Laurie Rengel from the Planning Commission**
- E. Resolution No. 2017-34 Accepting Resignation of Chris Barry from the Planning Commission**

- F. **Resolution No. 2017-35 Accepting Donation from the Hamel Lions Club**
- G. **Resolution No. 2017-36 Approving Animal Structure Setback Variance for Joseph Molde at 4035 Apache Drive**
- H. **Approve Final Pay Application for City Hall Lower Level Project**  
*Moved by Anderson, seconded by Martin, to approve the consent agenda. **Motion passed unanimously.***

Johnson thanked the Hamel Lions for their donation of \$750 for the bike rodeo this weekend.

## **VI. COMMENTS (7:07 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 night to review notes from the park tour. He stated that the Commission will also consider park dedication requests from Elim Care and The Reserve of Medina phase two.

### **C. Planning Commission**

Planning Commissioner Reid provided an update on the May 9<sup>th</sup> Planning Commission meeting. She stated that the Commission held a public hearing regarding a Conditional Use Permit request from Robin Johnson for an accessory dwelling structure and accessory structures in excess of 5,000 square feet and recommended approval. She stated that the Commission also held a public hearing on potential amendment of the ordinance related to conservation design and also recommended approval. She stated that the Commission also held a public hearing on the potential amendment to the high-density zoning districts and provided a summary of the discussion the Commission had, noting that the Commission also recommended approval of those amendments.

Mitchell stated that the Council is aware of the vacant positions on the Commission and hope to find interested residents to fill the positions soon.

## **VII. NEW BUSINESS**

### **A. Conservation-Design-PUD Ordinance (7:12 p.m.)**

Johnson noted that the Council discussed this topic at meetings in January and February and Finke has drafted potential changes to the ordinance based on those discussions.

Finke stated that the direction of the Council was to improve, or make clearer, the link to flexibility as an incentive that ties to the quality and quantity of resources preserved. He noted that while the language existed in the ordinance, this language would make it more clear and obvious that the flexibility of the density is at the full discretion of the City. He stated that the major policy confines of the ordinance were left unchanged and the items identified by the Council were simply made clearer. He stated that there is a pretty large swath of the City that could be eligible for the ordinance. He stated the largest base density would be 11 lots while the average would be one or two lots.

Martin reviewed the list of potential amendments and the comments she submitted to staff; mostly small grammatical changes. She noted that her thinking is driven by the thought that the protection of resources now in this manner could prevent the degradation of resources during future redevelopments of the property. She noted that the language should reflect additional protection and conservation that would occur outside of the natural protection that would be provided through the City Code. She noted that public access to the protected elements should also be added as a consideration in evaluating the appropriate density bonus.

Anderson referenced a proposed change he had regarding bonus density, using language in an attempt to strengthen the bonus density to state, "in rare circumstances".

Mitchell stated that the Council is being redundant but it does make it very clear to applicants.

Anderson stated that this will help to make it very clear and will help future Councils to have as much leverage as they can in making these decisions.

Martin provided a grammatical suggestion for the language change.

Finke provided different examples of how the ordinance could be applied to both residential applications through conservation design and commercial applications through PUD. He stated that there is less permanency of the easement through PUD. He stated that the incentive in the rural residential application is the bonus density as that could make the developer actually think about the possibility.

Mitchell stated that he is being persuaded that there is a benefit to long-term protection of certain elements because you never know what will come along in the future through redevelopment. He stated that this ordinance is very useful and asked if the ordinance should be redlined again combining the staff draft with the changes proposed by Martin and through discussion tonight. He noted that the redline could be sent out in the next Council packet to provide more clarity.

The Council provided consensus on language related to park dedication.

Martin offered to redline the staff version to include in the next Council packet to incorporate her proposed changes.

Finke stated that he can also incorporate the comments made tonight in another color.

1. **Ordinance Regarding Conservation Design; Amending Chapter 8 of the City Code**

*Moved by Cousineau, seconded by Anderson, to table the Ordinance regarding conservation design; amending Chapter 8 of the City Code. **Motion passed unanimously.***

~~2. **Resolution Authorizing Publication of Ordinance by Title and Summary**~~

B. **Liquor Ordinance Amendment Regarding Off-Sale of Intoxicating Liquor on Sundays (7:43 p.m.)**

Johnson stated that the State law was recently updated to allow Sunday liquor sales which will take effect July 1<sup>st</sup>. He stated that Assistant City Administrator Jodi Gallup and legal staff worked to draft the proposed language to update the City's regulations.

1. **Ordinance No. 611 Amending City Code Section 625 Regarding Alcoholic Beverage Licenses**

*Moved by Martin, seconded by Cousineau, to adopt Ordinance No. 611 amending City Code Section 625 regarding alcoholic beverage licenses. **Motion passed unanimously.***

2. **Resolution No. 2017-37 Authorizing Publication of Ordinance No. 611 by Title and Summary**

*Moved by Martin, seconded by Anderson, to adopt resolution no. 2017-37 authorizing publication of ordinance no. 611 by title summary. **Motion passed unanimously.***

**VIII. CITY ADMINISTRATOR REPORT (7:45 p.m.)**

Johnson stated that during the worksession they discussed the replacement of a furnace and air conditioner at City Hall. He noted that the City obtained two quotes on the replacement and received a quote from Ditter. He stated that the City has experience with Ditter because they provide ongoing maintenance of the heating and cooling equipment at all the City facilities. Although their quote was \$280 higher, the City would receive a more efficient air conditioner and therefore staff recommends selecting Ditter.

*Moved by Martin, seconded by Pederson, to select Ditter's option two for the replacement of the furnace and air conditioner at City Hall. **Motion passed unanimously.***

**IX. MAYOR & CITY COUNCIL REPORTS (7:46 p.m.)**

Martin commented that the bike rodeo is Saturday from 11 a.m. to 1 p.m. She noted that LICA will have an ice cream social at 1 p.m. on Saturday. She stated that she will be meeting with the Long Lake Fire Department the following day.

Cousineau noted that she attended the kick off meeting for the planning of Medina Celebration Day.

Mitchell provided an update from the recent mayors meeting that he attended where there was a presentation from Hennepin County where it was made clearer the roles and responsibilities of the County, municipalities, and the Metropolitan Council.

**X. APPROVAL TO PAY THE BILLS (7:49 p.m.)**

*Moved by Martin, seconded by Anderson, to approve the bills, EFT 04135E-04152E for \$51,951.29, order check numbers 045832-045900 for \$133,323.05, and payroll EFT 507881-507911 for \$47,667.23. **Motion passed unanimously.***

**XI. ADJOURN**

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting at 7:50 p.m. **Motion passed unanimously.***

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Bob Mitchell, Mayor

Attest:

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Jodi M. Gallup, City Clerk