

MEDINA CITY COUNCIL MEETING MINUTES OF JULY 3, 2012

The City Council of Medina, Minnesota met in regular session on July 3, 2012 at 7:00 p.m. in the City Hall Chambers. Acting Mayor Weir presided.

I. ROLL CALL

Members present: Pederson, Siitari, and Weir.

Members absent: Crosby and Martinson.

Also present: City Attorney Ron Batty, City Engineer Tom Kellogg, Planner Dusty Finke, Public Works Superintendent Steve Scherer, and City Administrator Scott Johnson.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

The agenda was accepted as presented.

IV. APPROVAL OF MINUTES

A. Approval of the June 19, 2012 Special City Council Meeting Minutes

*Moved by Pederson, seconded by Siitari, to approve the June 19, 2012 special City Council meeting minutes as presented. **Motion passed unanimously.***

B. Approval of the June 19, 2012 Regular City Council Meeting Minutes

It was noted on page three, following line nine, the following sentence should be added, "Weir recommended the cost of the culvert installation be split between storm water and road funds." On page four, line 44, it should state, "...provided to the potentially land locked business owners and lots located both north and south of Highway 55 and east of the 116 intersection." On page six, line 13, it should state, "...~~addition~~ additional bill..."

*Moved by Siitari, seconded by Pederson, to approve the June 19, 2012 regular City Council meeting minutes as amended. **Motion passed unanimously.***

C. Approval of the June 20, 2012 Special City Council Meeting Minutes

*Moved by Pederson, seconded by Siitari, to approve the June 20, 2012 special City Council meeting minutes as presented. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Approve Raffle Permit to TwinWest Chamber of Commerce Foundation on August 20, 2012 at the Medina Golf and Country Club

B. Approve Joint Powers Agreement for Sharing Costs of a Semaphore and Street Lighting at the Intersection of County Road 116 and Hackamore Road in Hennepin County

C. Approve Extension Agreement for Finance Director Services with KDV

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

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Park Commissioner Thies provided an update of the discussion which took place at the previous meeting of the Park Commission including the trails to be located in the Enclave at Brockton, the process for permitting the boat launch, as well as other future planning items.

C. Planning Commission

Finke noted that the Planning Commission will meet the following week to hold several public hearings and provided a brief summary of the items that will be discussed.

VII. NEW BUSINESS

A. U.S. Home Corporation, Lennar, Requests for a PUD General Plan and Preliminary Plat for 118 Single Family Home lots to be Located South of Hamel Legion Park and West of Brockton Lane

Finke explained that the concept review for this development was conducted earlier this spring and noted that the request tonight is almost identical to what was already reviewed. He briefly summarized the features of the development. He highlighted the proposed density for each area and the development as a whole, and also reviewed the staff and Planning Commission recommendations regarding setbacks. He mentioned some of the requirements regarding PUDs and also discussed the wetlands and requirements regarding wells. He noted that the City is working with Lennar to cost-share a municipal well that could also feed untreated water into the pond to be used for irrigation. He discussed the recommendations from the Park Commission regarding trails and park dedication.

Weir noted that this is the third time the Council is reviewing this information, and noted that the Planning Commission had also reviewed the information. She noted that she did review the PUD Ordinance and Comprehensive Plan and believed that, with the listed conditions, the request will meet most of the requirements. She reviewed the conditions proposed by staff and confirmed that the members of the Council agree with those conditions. She believed that the larger side yard setbacks should be set at ten feet, as recommended by the Planning Commission.

Siitari stated that he also agreed with the recommendation of the Planning Commission to require ten foot side yard setbacks.

Pederson expressed concern with the amount of excavation that will be done and wanted to ensure that the City is comfortable with the amount of use the road will encounter during the hauling of dirt.

Kellogg stated that he spoke with Finke and believed that the reconstruction of the road would take place after the hauling of the dirt. He explained that generally pictures are taken to capture the existing condition of the roadway prior to the project beginning and

noted that additional pictures would be taken after the project is complete to determine the amount of wear.

Scherer agreed that pictures will be taken and noted that if problems arise, an alternate route could be determined. He confirmed that Hunter Drive was built to a suitable tonnage to support the hauling.

Weir expressed concern in regard to condition 13 regarding the berm.

Pederson agreed that the City should be more specific in that regard as satisfaction was not gained with a previously constructed berm in the city.

Finke explained that this condition was drafted because of the comments made by the Council and Planning Commission earlier in this process.

Weir stated that she would like to see a percentage of the townhomes to be built within phase II.

Joe Jablonski, representing Lennar, addressed the Council. He commented that they have worked with staff and the Council throughout this process and thanked everyone for the cooperation as he believed that helped to create this plan. He confirmed that he would be in agreement with the ten foot side yard setbacks, as discussed by the Planning Commission and Council. He asked for further clarification in regard to one of the identified open space areas in the southeast corner, as he believed that lot lines would need to be realigned in order to create that open space area.

Finke confirmed that in order to create that open space area the lot lines would need to be shifted. He confirmed that the density requirements would still be met, if one lot in the southeast of the site to create the open space.

Weir confirmed that the Council would be in agreement with removing that particular open space area in order to preserve the lots, but approve the remaining open space areas.

Jablonski addressed the condition regarding the berm and believed that a privacy fence or oversized evergreen trees would be a more efficient method of screening while still preserving the yards for those properties.

Weir stated that any screening must not interfere with the root systems of existing large trees along the property line.

Siitari agreed that Lennar could work with staff to determine an efficient method of screening.

Jablonski stated that he was also in agreement with the condition added by Weir to include a percentage of townhomes in the second phase, but asked that flexibility be included.

Dan Cates stated that he submitted a letter to the Council in support of this project and thanked Lennar for making this a pleasant experience. He noted that many of the sellers in this area are ready to move on to the next stage of their lives and believed that

it would be nice for those property owners to see a nice neighborhood built through this process.

Jablonski stated that he is estimating to start work in August or September.

*Moved by Pederson, seconded by Siitari, to direct staff to prepare a Resolution of approval for a PUD General Plan and Preliminary Plat for 118 Single Family Home lots as discussed. **Motion passed unanimously.***

B. Ordinance No. 529 Amending Section 515 of the Code of Ordinances Regarding Parks and Recreational Facilities

Johnson explained that the Park Commission has been working with staff to develop a plan to prevent invasive species from entering Lake Independence. He stated that part of the plan development by the Commission and the Lake Association was to install a gate at the boat launch. He noted that a permit process was also developed and advised that no cost would be required for obtaining a permit. He stated that the Lake Association has committed to contributing \$1,000 towards the installation of the gate and \$500 annually towards the cost of maintenance.

Weir believed that a purpose statement should be added to the Ordinance.

Batty noted that the Council only has a portion of the Ordinance and believed that a similar statement most likely exists.

Finke presented the purpose statement already included in the Ordinance.

Weir confirmed that is sufficient. She questioned if a definition of aquatic invasive species should be included.

Siitari did not believe that would be needed.

Finke stated that the term is not used in the Ordinance.

Johnson stated that when a resident obtains a permit they will be given educational information regarding invasive species.

*Moved by Siitari, seconded by Pederson, to approve of Ordinance No. 529 Amending Chapter 5, Section 515 of the Code of Ordinances Regarding Parks and Recreational Facilities. **Motion passed unanimously.***

C. Lakeshore Park Boat Launch Permit

*Moved by Siitari, seconded by Pederson, to approve the Lakeshore Park Boat Launch Permit Process. **Motion passed unanimously.***

D. Lake Independence Feasibility Study

Johnson noted that this item was discussed at the Pioneer-Sara Watershed meeting. He stated that there is an estimated cost of \$4,000 for the Study and the City of Medina has been asked to share a cost of up to \$1,000 for the Feasibility Study. He noted that this would simply be for the Study and would not commit the City to paying for the cleaning of the channel.

Weir noted that she would also like to see the culvert reviewed during this Study. She also believed that the Watershed should look into the possibility of obtaining DNR funds for the clean out of the channel because of the regional impact.

*Moved by Siitari, seconded by Pederson, to approve of up to \$1,000 from the Storm Water Utility Fund to pay for a Feasibility Study to clean out the channel between Lake Independence and Pagenkoph Roads. **Motion passed unanimously.***

VIII. CITY ADMINISTRATOR REPORT

Johnson stated that staff met with Mr. Kroll earlier this week and he is not going to pursue the gun club request at this time, but has asked staff to look into a special events permit for his proposed use.

IX. MAYOR & CITY COUNCIL REPORTS

Weir commented that she believed it would be beneficial to develop a policy regarding street lights and maintenance responsibility within homeowner association areas.

Finke noted that it may be cost prohibitive.

X. APPROVAL TO PAY THE BILLS

*Moved by Pederson, seconded by Siitari, to approve the bills, EFT 001688E-001702E for \$40,143.98 and order check numbers 038474-038534 for \$166,570.92, and payroll EFT 504309-504333 for \$41,699.96 and payroll check number 020364 for \$2,542.37. **Motion passed unanimously.***

XI. ADJOURN

*Moved by Siitari, seconded by Pederson, to adjourn the meeting at 8:15 p.m. **Motion passed unanimously.***

Elizabeth Weir, Acting Mayor

Attest:

Scott Johnson, City Administrator