

MEDINA CITY COUNCIL MEETING MINUTES OF JULY 20, 2010

The City Council of Medina, Minnesota met in regular session on July 20, 2010 at 7:04 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

Members present: Crosby, Siitari, Smith, Weir, and Johnson (arrived at 7:21 p.m.).

Members absent: None.

Also present: City Attorney Ron Batty, City Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Chad Adams, City Management Intern Dale Cooney, and Recording Secretary Barbara Hughes.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

It was requested to add item IX.C., to accept a donation from Thomas M. Crosby, Jr., to New Business.

*Moved by Weir, seconded by Siitari, to accept the agenda as amended. **Motion passed unanimously.***

IV. APPROVAL OF MINUTES

A. Approval of the July 6, 2010 Regular City Council Meeting Minutes

It was noted on page 3, lines 25 and 26, it should state "...several members of the Council. He noted that construction has begun on ~~Highway 55~~ the Open Systems International, Inc. project, and with the close proximity of his home, hoped that the project would go as smoothly..."

*Moved by Weir, seconded by Siitari, to approve the July 6, 2010 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

- A. Approve Curb Replacement and/or Removal Services Agreement**
- B. Approve Compost Installation Services Agreement**
- C. Approve Asphalt Patch/Overlay and Reclaiming Services Agreement**
- D. Resolution Certifying Delinquent City Charges for Services to the Hennepin County Auditor for Collection in 2011**

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

VI. PRESENTATION

- A. Recognition of Organics Program Volunteer Work and Randy's Environmental Services**

Smith stated that two young ladies in the community took the initiative to improve participation in and promote the voluntary organics recycling program. She noted that in 2008, 28.69 tons of organics were collected in the City and that number increased to 32.53 tons in 2009, thanks in part to Megan Bailey, Mikayla Krentz and Nicole Krentz.

Megan Bailey explained that she prepared a public service announcement for her class about the importance of organic recycling and the lack of participation in the organics recycling program in the City.

Mikayla Krentz stated that they also organized an Earth Day celebration that included games for the kids intended to bring awareness to the kids and their families; one of the games included having the kids walk around the neighborhood trails to collect trash and the kids who collected the most trash received a prize.

Nicole Krentz stated that she also organized a game where six containers were placed next to a garbage can filled with trash that people would normally put in their garbage. She indicated that the kids went through a line and put the object from the garbage can into its correct container, such as recyclable organics, grocery bags, trash, re-useables and recycling and bottle caps.

Smith noted that the girls are also going door to door to encourage people to sign up for the organics recycling program.

Crosby expressed the City Council's appreciation to the girls for their efforts and suggested they make an appearance at the Medina Celebration Day.

Smith also acknowledged Randy's Environmental Services and Deb Gatz from Randy's Environmental Services for partnering with the City on this program. She then presented Megan Bailey, Mikayla Krentz and Nicole Krentz with a Certificate of Appreciation.

VII. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Park Commissioner Madeleine Linck advised that the Park Commission will be meeting tomorrow to discuss the Hunter Lions signage location; the sign will have to be moved and will likely be placed somewhere along the in-field fence line and the trail. She stated the Commission will also be discussing the Lennar "Enclave of Medina" project's park dedication. She reported that the Commission will also be discussing wetland buffers and ways to educate residents who live on wetlands and lakes on best practices for protecting these areas. She stated that she recently purchased "*Landscaping for Wildlife*" which contains helpful information regarding the best ways to maintain a buffer and the benefits of protecting water quality and wildlife habitat.

C. Planning Commission

Planning Commissioner Robin Reid reported that at the July 13th Planning Commission meeting, the Commission discussed the Lennar "Enclave of Medina" project and held a public hearing regarding an ordinance amendment to revise the regulations for the RR-UR zoning district. She stated that the Lennar development requires a Comprehensive

Plan amendment and Steve Gritman, the City's Planning Consultant from Northwest Associated Consultants, outlined 25 issues with this proposal including extension of the MUSA, zoning of the property, the applicant's offer to protect the wooded area on the east side in exchange for the MUSA extension, and the cost of improvements to Hunter Drive. She stated that a number of concerns have been raised, including the relocation of the MUSA, amendment to the Comprehensive Plan, and protection of the wooded area in exchange for the MUSA. She noted that residents are opposed to moving the MUSA and some residents feel the increased density is in conflict with earlier discussions with the City; concerns were also raised regarding increased traffic on Hunter Drive. She advised that because the MUSA issue is critical, the Commission recommended denial of the MUSA extension. She added that issues were also raised regarding the tight spacing of the townhomes, the small garages and limited parking, and emergency vehicle access. She stated that the owner of the five acre parcel objected to having the street terminate at his property because he felt this would limit his development options in the future. She stated that the Commission tabled discussion on the matter and the developer was asked to come back to the Commission with two proposals, one with the MUSA extension and one without. She reported that the Commission recommended approval of the ordinance amendment related to the RR-UR zoning district.

Johnson arrived at 7:21 p.m.

VIII. OLD BUSINESS

A. Ordinance Pertaining to the Timing of Growth and Development to be Served by City Utilities Adding Section 825.34 to the Medina Zoning Ordinance

1. Resolution to Publish Ordinance by Title and Summary

Finke outlined the changes requested by the Council with respect to how many points to give sustainability and this was raised to a primary factor. He added that because the baseline was increased, it also increased the required points to 50 in order to meet the staging system criteria.

Crosby questioned the need to require a PUD.

Finke replied that in exchange for jumping ahead, it is expected that the City would ask for more than its general standards and staff feels the easiest way to accomplish that is through the PUD process.

Crosby asked if the language should be amended to state that the City "may require" versus "shall require" to provide some flexibility. He felt it should be clear that the Council has the ability to ask for a PUD but should also have some flexibility in this regard.

Finke stated that the City wants to retain its ability to deny a request without the baseline of a PUD.

Batty advised that a PUD is typically the method the City will use to do this and a PUD provides a structure in which to create a zoning district. He added that the underlying

assumption is that the City will use a PUD, but if Council determines it is not necessary, the PUD can be waived in a particular case.

Weir requested further information regarding sustainability and natural resource protection referenced in Subd. 4 of the ordinance. She stated that Subd. 4(b)(2) and 4(b)(4) appear to be somewhat similar and asked if the text could add "permanent protection" as it relates to the reference to exceptional natural resource preservation.

Smith stated that she felt sustainability should be first and part of that is protecting natural resources. She added that the site plan review will include an evaluation of the natural resources protection and is all part of the point system.

Crosby requested staff to redraft the language of the Ordinance and bring it back to Council for approval on the Consent Agenda at the next meeting.

*Moved by Weir, seconded by Smith, to table adoption of the ordinance pertaining to the timing and growth and development to be served by City utilities adding Section 825.34 to the Medina Zoning Ordinance. **Motion passed unanimously.***

C. Agreement with Hamel Town Center, LLC

Adams presented the Agreement to approve a plan for restoration of the stream bank by the Hamel Town Center and includes provisions for an escrow fund, financial guarantees, and replacement of trees.

Finke stated that staff reviewed the stream bank restoration from an ecological standpoint and the number of trees that would be required in order to stabilize the stream bank. He advised that Wade Johnson, a scientist for the Metro Conservation District, prepared the plan suggesting 20 overstory trees and a number of shrubs and ground cover plantings; the agreement adopts that planting plan for the site. He stated that the developer also violated the tree preservation ordinance and a cash payment in the amount of \$13,275 will be made by the developer to the City by September 1, 2011 and the trees and plantings are required to be planted by September 1, 2010. He noted that the developer is responsible for carrying out the work in the stream bank and the City will establish an escrow fund for the cost of inspection and the developer will provide financial guarantees with respect to survival of the plants. He added that the developer has already started some of the work on the site.

*Moved by Smith, seconded by Weir, to approve the agreement with Hamel Town Center, LLC. **Motion passed unanimously.***

Crosby complimented staff and the developer for their efforts in reaching an agreement.

IX. NEW BUSINESS

A. Wellhead Protection Plan

Scherer presented an overview of the wellhead protection plan and stated the plan has been sent to the Minnesota Department of Health for their review. He advised that wellhead protection is a method of preventing contamination of the public water supply well by managing potential contaminant sources which contribute water to the public supply well. He stated that the Department of Health provided significant assistance with this project, including preparation of the geological studies. He pointed out that the

City's drinking water has low vulnerability for contamination because of the clay soil. He indicated that a clear benefit of the wellhead protection plan is the emphasis on the prevention of drinking water contamination versus the remediation of a contaminated drinking water supply, since the cost of prevention is less than the cost of remediation. He added that staff will be moving on to part 2 of the wellhead protection plan which will include a scoping meeting in the fall.

B. Ordinance Amending the Regulations of the Rural Residential-Urban Reserve (RR-UR) Zoning District Amending Section 826.25.1

Finke advised that the RR-UR zoning district has existed since the 2000 Comprehensive Plan and has been applied for the last decade to property set aside for development after 2020. He explained that the ordinance has been updated to allow the RR-UR Zoning District to be applied to mixed use property; in addition, under the old language, it was only meant to apply to property developed post-2030 and the language has been revised to allow the City to apply this zoning district to property that is 5-10 years into the future without creating additional holding districts.

*Moved by Weir, seconded by Johnson, to adopt the ordinance amending the regulations of the rural residential-urban reserve zoning district amending section 826.25.1. **Motion passed unanimously.***

C. Accept Donation from Thomas M. Crosby, Jr.

Adams reported that the City has received a \$2,943.53 donation from Tom Crosby. He indicated that in the past, the Council has accepted donations and allocated the funding toward the City's intern program, but since this year's intern program has been funded by a grant from the Minnesota City Manager's Association, staff recommends that this donation be allocated toward the fireworks at Medina Celebration Day.

*Moved by Smith, seconded by Johnson, to thank Mayor Crosby and accept the donation from Mayor Crosby in the amount of \$2,943.53 and to allocate the funds toward the fireworks at Medina Celebration Day. **Motion passed unanimously.***

X. CITY ADMINISTRATOR REPORT

A. Schedule Special Meeting – Budget Work Session

Adams proposed several dates for a special meeting to discuss the budget.

*Moved by Smith, seconded by Weir, to schedule a Special Budget Work Session on Tuesday, August 17, 2010, at 5:00 p.m. **Motion passed unanimously.***

Smith reminded the Council that the August 3rd Regular City Council meeting has been moved to Wednesday, August 4th at 7:00 p.m. to accommodate Night to Unite on Tuesday, August 3, 2010.

Other Items

Adams requested that the Council let him know if they want to do a ride along with an officer on Night to Unite. He also stated that if any resident wants to host a party, they should contact the Police Department.

Adams advised that the City newsletter will be going out this week and asked if the Council wants to continue its office hours in the fall.

Crosby stated the office hours were intended to provide residents with availability and accessibility to the City Council and felt it was worthwhile to continue office hours once a month from 9:00-11:00 a.m.

Smith indicated that the City should advertise the office hours on a sandwich board in front of City Hall on the day that a Councilmember is present. She also stated that public service announcements should be done as well as message boards at Medina Entertainment Center and Highway 55 Rental, along with notice posted on the City's website.

Adams reported that he received a request from an organization that wants to conduct a softball tournament in September; the organization has requested that the City reduce its fee to \$500 for the two day event. He suggested that this matter be referred to the Park Commission for further discussion at its meeting tomorrow evening, and then brought back to the Council in the form of an agreement if needed.

Smith suggested that staff determine what Plymouth and/or Loretto charges for this type of event.

XI. MAYOR & CITY COUNCIL REPORTS

Smith presented a copy of an article from the *Anoka County Union* regarding the County Board's work to cut its 2010 budget by \$2.7 million or approximately 2%. She stated the Board decreased its budget in anticipation of the reduction in market value homestead credit from the State and this reduction will be carried forward in 2011.

Adams noted as a comparison that the City recently received approximately \$20,000 in market value homestead credit from the state.

Smith also reported that she will be attending a meeting on Saturday to discuss the Northwest League of Minnesota Cities event this fall for area communities.

Susan Seeland appeared before the City Council to discuss the trust fund created by the State for natural resource protection. She asked if there was any way that the City could tap into some of that money for natural resources in the community, and suggested using some funds for the removal of buckthorn.

Crosby agreed to see if there was any way for the City to obtain grants for natural resources in the community.

Adams stated staff would review and report back to the Council.

XII. APPROVAL TO PAY THE BILLS

Moved by Smith, seconded by Johnson, to approve the bills, EFT 000776-000784 for \$28,330.34 and order check numbers 035714-035788 for \$544,421.20, and payroll checks 020233-020234 for \$878.73 and payroll EFT 502868-502897 for \$44,416.00.
Motion passed unanimously.

XIII. ADJOURN

*Moved by Johnson, seconded by Weir, to adjourn the meeting at 8:17 p.m. **Motion passed unanimously.***

T.M. Crosby, Jr., Mayor

Attest:

Chad M. Adams, City Administrator-Clerk