

## **MEDINA CITY COUNCIL MEETING MINUTES OF AUGUST 2, 2017**

The City Council of Medina, Minnesota met in regular session on August 2, 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 (7:00 p.m.)**

The agenda was approved as presented.

### **IV. APPROVAL OF MINUTES (7:00 p.m.)**

#### **A. Approval of the July 18, 2017 Special City Council Meeting Minutes**

*Moved by Anderson, seconded by Pederson, to approve the July 18, 2017 special City Council meeting minutes as presented. **Motion passed unanimously.***

#### **B. Approval of the July 18, 2017 Regular City Council Meeting Minutes**

It was noted on page two, line 18, it should state, "...to ~~solidify~~ confirm..."

*Moved by Anderson, seconded by Martin, to approve the July 18, 2017 regular City Council meeting minutes as amended. **Motion passed unanimously.***

### **V. CONSENT AGENDA (7:02 p.m.)**

#### **A. Resolution No. 2017-57 Accepting Bids and Awarding the Contract for the Sanitary Sewer Lining Project to Hydro-Klean LLC**

#### **B. Approve Tree Trimming Services Agreement with Emery's Tree Service, Inc.**

#### **C. Resolution No. 2017-58 Approving Off-Site Gambling Permit for the Hamel Lions Club to Conduct Lawful Charitable Gambling at 3200 Mill Drive**

#### **D. Resolution No. 2017-59 Granting Preliminary and Final Plat Approval for Hamel Road Thirty Two**

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

### **VI. PRESENTATIONS**

#### **A. Resolution No. 2017-60 Recognizing Jeremiah Jessen for 10 Years of Service to the City of Medina (7:03 p.m.)**

Mitchell read aloud the draft resolution recognizing Jeremiah Jessen for his 10 years of service to the City of Medina with the police department. He expressed his appreciation for Jessen's continued excellent work.

Jessen stated that he is very fortunate to work for the City of Medina and he is always proud to say he works for the City of Medina. He thanked the citizens of Medina and noted that the police department appreciates working for the community.

*Moved by Martin, seconded by Anderson, to adopt resolution no. 2017-60 recognizing Jeremiah Jessen for 10 years of service to the City of Medina. **Motion passed unanimously.***

**B. Resolution No. 2017-61 Recognizing Anne Klaers for 10 Years of Service to the City of Medina (7:06 p.m.)**

Mitchell read aloud the draft resolution recognizing Anne Klaers for her 10 years of service to the City of Medina. He thanked her for her hard work at the City.

*Moved by Anderson, seconded by Martin, to adopt resolution no. 2017-61 recognizing Anne Klaers for 10 years of service to the City of Medina. **Motion passed unanimously.***

Belland stated that he cannot speak highly enough for Jessen and Klaers and could not ask for better employees. He stated that they both continue to work hard and contribute a lot to the police department. He stated that he appreciates the work that they do every day and thanked them for 10 years of service.

Mitchell stated that the Council and administration appreciates the work the police department does. He stated that they are all in this together and that is how they will continue to make Medina a great place.

**VII. COMMENTS (7:10 p.m.)**

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

There were none.

**B. Park Commission**

Scherer stated that the parks are in good shape and are being well used this time of year.

**C. Planning Commission**

Finke reported that the Planning Commission will meet the following week to consider a PUD Concept Plan from the Excelsior Group which would include 68 single-family homes. He noted that the second hearing would be a proposed plat and lot rearrangement from OSI to expand their parking lot and the third hearing would be a variance request to replace their trash enclosure in order to support the County Road 116 project. He stated that the Commission will also once again consider the Lunski project and also an ordinance amendment regarding the Wood Lake Landfill in Medina.

**VIII. NEW BUSINESS**

**A. Buddy and Kim Snow – Conditional Use Permit for 2<sup>nd</sup> Principal Dwelling – 2402 Hamel Road (7:14 p.m.)**

Mitchell stated that this is his niece and nephew but he does not have a financial interest in the project and therefore does not believe he has a conflict of interest.

Finke presented a Conditional Use Permit (CUP) request for a second principal dwelling noting that one of the stipulations is that the second home would only be available for family members, employees or as a guest house and could not be rented out. He stated that there is a home and barn existing on the site and provided an aerial photograph identifying the proposed location of the secondary homes. He also highlighted the proposed locations for the primary and secondary septic sites for both homes. He noted that a ghost plat was also included to show how the property could be divided in the future, should the homes need to be sold separately. He stated that the Planning Commission held a public hearing the previous month and recommended unanimous approval of the request. He stated that staff also recommends approval of the request subject to the conditions noted in the staff report.

Kim Snow stated that she has two older brothers and the agreement they have always had was to keep the property in their family. She stated that the plan was to move there once her parents passed on but with her mother's health conditions they would like to move to the property sooner in order to help and enjoy the property with all three generations.

Mitchell asked if the application would need to be changed if the use changes from family to a guest house.

Finke explained that the three allowed uses would be available without changing the CUP.

Mitchell stated that the applicants are listed as the Snows but the Crosbys are the owners of the property and asked if they would sign the documents as well.

Finke explained that the owners of the property have also signed the application documents in addition to the Snows.

*Moved by Martin, seconded by Anderson, to direct staff to prepare a resolution of approval for the Conditional Use Permit request of Buddy and Kim Snow for a second principal dwelling at 2402 Hamel Road, based upon the findings noted in the staff report and subject to the conditions in the report. **Motion passed unanimously.***

**IX. CITY ADMINISTRATOR REPORT (7:23 p.m.)**

**A. Agreement by and between the City of Medina and Process System Integration Regarding Stockpiling on PID 03-118-23-32-0007**

Johnson presented an agreement for stockpiling for fill at the Medina Senior Living site. He stated that the applicant is requesting to place fill on the site prior to receiving approvals for the site. He noted that a \$250,000 letter of credit would also be required that would cover the removal of the fill, should the applicant not receive development approvals and leave the site.

Pederson asked about the hauling route.

Finke replied that the hauling would come directly from Highway 55.

Anderson stated that he spoke with Finke earlier regarding potential noise concerns and was assured that the hauling would take place during the regular construction hours and there would not be much impact.

*Moved by Anderson, seconded by Cousineau, to approve the agreement by and between the City of Medina and Process System Integration regarding stockpiling on PID 03-118-23-32-0007. **Motion passed unanimously.***

**B. Recognition**

Johnson stated that the City's reporter, Susan Van Cleaf, has covered the City of Medina for 15 years and thanked her for the exceptional job she does.

Susan stated that she has enjoyed the different stories and the people of Medina.

Mitchell stated that it would be appropriate to have the Council direct staff to prepare a letter thanking Susan for her work.

*Moved by Pederson, seconded by Martin, to direct staff to prepare a letter thanking Susan Van Cleaf for her 15 years of service reporting on the City of Medina. **Motion passed unanimously.***

**C. Broadband Grant**

Johnson stated that unfortunately DEED did not agree to modify Mediacom's broadband grant and therefore the grant could not be applied to 2017 and 2018 buildout in Medina. Mediacom will have to submit a new grant application to DEED for the remaining approximately 6 miles of buildout in 2018 in Medina. He asked for approval from the Council on a letter of support for Mediacom's grant application.

Martin suggested a revision to the first paragraph of the letter.

Anderson suggested that a sense of urgency be expressed as well.

*Moved by Martin, seconded by Anderson, to support Mediacom's grant application. **Motion passed unanimously.***

**D. Update**

Johnson stated that he and Finke had a conference call with the Metropolitan Council staff to review the draft Comprehensive Plan.

Finke stated that this information will be presented to the Steering Committee for further action as questions were raised regarding the staging of high density housing. He stated that the staging would not meet the requirements of the Met Council. He was confident that the comments were not consistent with the policies of the Met Council and believed that an appropriate narrative would clear up the misconception.

Martin stated that she would like input from the Council. She stated that there is no other place that is right for high density residential that would meet the objectives of the City to minimize the impact on the Wayzata School District and the traffic on Highway

55. She stated that if the property developed between 2018 and 2020 will not qualify as high-density housing, those units simply should not be allowed to develop until 2020.

Anderson agreed that going out to identify additional land would disrupt the public input process that took place.

Martin stated that the applications for high density housing are not coming in from Medina residents and therefore delaying that development would not impact Medina residents. She stated that she would also like clarity on the use of senior assisted living as high density.

Finke stated that there will be a lot of those discussions through the Steering Committee and then back through the City Council.

Martin stated that she would like to hear the position of the Council because until the discussions are complete with the Met Council, the Council should not be hearing any applications for those properties.

Anderson asked if there were additional comments on any other topics.

Finke stated that there were additional comments on the long-term City sewer area, but noted that was to be expected.

Cousineau stated that there are additional business acres that could be used for senior living and believed that needs to be evaluated as well, since all the commercial along Highway 55 would roll into the business district under the new Comprehensive Plan.

Martin stated that she is unsure that those units would count as density units.

Finke stated that the units would not count traditionally but would impact the future forecasts for the City.

Cousineau stated that she would prefer that the use be taken out of the business zoning district as that would add people that the City did not commit to. She stated that perhaps the business zoning district be amended to only allow senior housing in a certain portion of it.

Anderson stated if the Metropolitan Council does not understand that the staging for high density would fulfill their objective, he would support Martin's comment in then delaying that development until 2020.

#### **X. MAYOR & CITY COUNCIL REPORTS (7:43 p.m.)**

Mitchell stated that Night to Unite took place the night before and thanked staff, police and fire and volunteers that helped to make the night a success. He reviewed a list of places that the Council, police, fire, and staff were able to visit. He stated that the purpose is for people to get to know their neighbors and City staff, police and fire to encourage a sense of community. He appreciated the staff, Council and police that attended parties the previous night and congratulated everyone on a successful event.

Martin commented on the joyful interaction between the police officers and children of the community. She commended the police for having such a wonderful team that

interacts so well with the community and the youth. She thanked Belland for his great leadership.

Belland also thanked the Council, noting that leadership begins at the top and he appreciated the participation of the Council in the event as well. He stated that having great leadership makes his job so much easier and noted that City staff is aware of how well they have it with this great leadership team. He stated that for law enforcement, it is important to build relationships in the community to know the people that you are working to protect and serve.

**XI. APPROVAL TO PAY THE BILLS (7:47 p.m.)**

*Moved by Anderson, seconded by Martin, to approve the bills, EFT 004231E-004249E for \$60,685.72, order check numbers 046132-046194 for \$193,071.79, and payroll EFT 0508049-0508074 for \$47,847.16. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting at 7:48 p.m. **Motion passed unanimously.***

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Bob Mitchell, Mayor

Attest:

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Jodi M. Gallup, City Clerk