

MEDINA CITY COUNCIL MEETING MINUTES OF AUGUST 3, 2016

The City Council of Medina, Minnesota met in regular session on August 3, 2016 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 19, 2016 Special City Council Meeting Minutes

Moved by Anderson, seconded by Martin, to approve the July 19, 2016 special City Council meeting minutes as presented. Motion passed unanimously.

B. Approval of the July 19, 2016 Regular City Council Meeting Minutes

It was noted on page two, line two, it should state, "...states state..." On page two, line 11 it should state, "...training funding..." On page two, line 13, it should state, "...out..." On page two, line 35, it should state, "...returning the Maple..." On page three, line 10, it should state, "...brief background on a synopsis of the information..." On page three, line 12, it should state, "...stated that the winning..." On page three, line 13, it should state, "...percentage interest rate of 1.1382 percent, noting that Ehlers had estimated an percentage interest rate of 1.62 percent; the winning bid was which is..." On page three, line 50, it should state, "...that although..." On page four, line two, it should state, "He confirmed that the bid was this is within the engineer's..." On page four, line 22, it should state, "...developer's exiting..." On page four, line 43, it should state, "...stated that they the applicant created create a..." On page four, line 45, it should state, "...explained that..." On page four, line 46, it should state, "...size..." On page four, line 49, it should state, "...Medina land..." On page five, line 17, it should state, "...high end high-end..." On page five, line 30, it should state, "...that the proposed..." On page five, line 31, it should state, "...green space, noting that enhanced open and green space often is sought and some of the aspects they normally see in return..." On page six, line 12, it should state, "...to the Saturday morning events in Chanhassen..." On page eight, line 12, it should state, "...which that..." On page eight, line 15, it should state, "...their its..."

Moved by Anderson, seconded by Cousineau, to approve the July 19, 2016 regular City Council meeting minutes as amended. Motion passed unanimously.

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

- A. Approve Development Agreement by and between the City of Medina and Clough Properties, LLC
- B. Approve Seal Coating Services Agreement with Pearson Brothers, Inc.
- C. Consent to First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Maintenance Agreement for a Private Road – Phillips Woodland Terrace

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

VI. COMMENTS (7:06 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer reported that the Park Commission met on July 20th to discuss the AutoMotorPlex concept, specifically regarding trails and noted that the Commission received an update from Finke regarding the parks and trails portion of the Comprehensive Plan process. He stated that the Commission also discussed the Capital Improvement Plan and considered a request from an Independence Beach resident to reactivate the ballfield, noting that action has already been completed.

Pederson asked which site of Arrowhead is under consideration for a trail.

Scherer provided additional details, noting that they would like to get the trail off the road a bit for additional safety. He stated that the trail north of Highway 55 is almost complete and that the trail would remain on the east side of Arrowhead.

Anderson referenced the trail north of Highway 55 on Arrowhead that is almost complete and commented that the trail looks terrific and is a great addition to that neighborhood.

C. Planning Commission

Finke stated that the Planning Commission just met concurrently with the Council prior to tonight's meeting and therefore would not hold a separate August meeting.

VII. PRESENTATIONS (7:09 p.m.)

Johnson stated that with all the recent turmoil recently in our nation it is great to see exceptional leadership from the Medina Police Department and Chief Belland. He greatly appreciated all the hard work of the department. He stated the department did a great job with the Night to Unite neighborhood parties.

The Council echoed that appreciation.

Mitchell stated that the Council has read the resolutions in much detail and the Council impressed with what has been done by each Officer and what they have contributed to the City.

Belland commented that the work that Officer Boecker does helps to make his job much easier. He stated that he is blessed with great staff and Officers, noting that Officer Boecker is a shining star in the department.

Mitchell stated that during these times before an election people often ask what you are going to do different but commented that in Medina there is nothing different that needs to be done.

Pederson stated that he attended one of the Night to Unite parties with Officer Boecker and was impressed with how interactive he was and how much fun the children were having.

Mitchell presented the resolution recognizing Police Chief Belland for 25 years of service to the City of Medina to Police Chief Belland.

Mitchell presented the resolution recognizing Officer Boecker for 15 years of service to the City of Medina to Officer Boecker.

A. Resolution No. 2016-63 Recognizing Police Chief Ed Belland for 25 Years of Service to the City of Medina

Moved by Anderson, seconded by Pederson, to Adopt Resolution No. 2016-63 Recognizing Police Chief Ed Belland for 25 Years of Service to the City of Medina. Motion passed unanimously.

B. Resolution No. 2016-64 Recognizing Patrol Officer Kevin Boecker for 15 Years of Service to the City of Medina

Moved by Anderson, seconded by Martin, to Adopt Resolution No. 2016-64 Recognizing Patrol Officer Kevin Boecker for 15 Years of Service to the City of Medina. Motion passed unanimously.

VIII. NEW BUSINESS

A. Ordinance No. 601 Regarding Temporary Family Healthcare Dwellings; Opting out of the Requirements of Minnesota Statutes, Section 462.3593 (7:14 p.m.)

Johnson stated that during the last session the State decided that local governments should look into temporary family healthcare dwellings, specifically allowing trailers to be on a family member's property for up to six months, to allow a family member that needs medical attention to live on the property.

Finke stated that the Statute establishes the requirement and if the City takes no action those dwellings would be allowed on September 1st. He stated that the Statute allows communities to opt out of the Statute. He noted that if the community opts out the dwellings would not be permitted. He highlighted some concerns staff had regarding the quick turnaround time for permits, the fact that staff would need to collect and maintain private healthcare information and the enforcement when the six month period expires and the person would need to move the dwelling from their property. He stated that in his review he has only seen one city that did not opt out. He stated that the Planning Commission did review the item and recommends that the City opt out.

Moved by Martin, seconded by Anderson, to Adopt Ordinance No. 601 Regarding Temporary Family Healthcare Dwelling; Opting Out of the Requirements of Minnesota Statutes, Section 462.3593. Motion passed unanimously.

B. Ordinance No. 602 Amending Chapter 4 of the Medina City Code Regarding Seasonal Weight Limits and Regulations of Truck Traffic (7:18 p.m.)

Johnson stated that this deals with a case where a heavy recycling truck was cutting through City streets. He noted that the case went to court and the judge did not agree with the facts submitted by Medina and the City lost the case. He noted that the Prosecuting Attorney Steve Tallen, City Attorney Ron Batty, Scherer and Belland reviewed the language and propose language that would resolve this issue to prevent the situation from occurring in the future. He recommended approval of the request.

Mitchell stated that one trip from a heavy truck in the spring can damage a roadway and therefore believes that the roads should be protected.

Moved by Cousineau, seconded by Pederson, to Adopt Ordinance No. 602 Amending Chapter 4 of the Medina City Code Regarding Seasonal Weight Limits and Regulations of Truck Traffic. Motion passed unanimously.

1. Resolution No. 2016-65 Authorizing Publication of Ordinance No. 602 by Title and Summary

Moved by Martin, seconded by Cousineau, to adopt Resolution No. 2016-65 Authorizing Publication of Ordinance No. 602 by Title and Summary. Motion passed unanimously.

IX. CITY ADMINISTRATOR REPORT (7:19 p.m.)

Johnson thanked Belland and his staff for the excellent work coordinating the Night to Unite events the previous night which were well attended and ran smoothly.

X. MAYOR & CITY COUNCIL REPORTS (7:20 p.m.)

Anderson stated that a good time was had by all the previous night at Night to Unite.

Pederson stated that it is always good to see the residents having a great time, seeing the neighborhoods and having conservations with people about their neighborhood.

Martin stated that the children were so happy to see the police and fire departments.

XI. APPROVAL TO PAY THE BILLS (7:21 p.m.)

Moved by Anderson, seconded by Martin, to approve the bills, EFT 003747-003768 for \$91,010.50, order check numbers 44629-44690 for \$562,099.80, and payroll EFT 507309-507335 for \$47,754.50. Motion passed unanimously.

XII. ADJOURN

Moved by Anderson, seconded by Martin, to adjourn the meeting at 7:21 p.m. Motion passed unanimously.

Attest:

Bob Mitchell, Mayor

Scott Johnson, City Administrator