

MEDINA CITY COUNCIL MEETING MINUTES OF SEPTEMBER 15, 2015

The City Council of Medina, Minnesota met in regular session on September 15, 2015 at 7:02 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 Tom Kellogg, City Planner Dusty Finke, Erin Barnhardt, Public Works Director Steve Scherer, Public Safety Director Ed Belland, and Recording Secretary Amanda Staple.

II. PLEDGE OF ALLEGIANCE (7:02 p.m.)

Mitchell noted that the Stonegate item would be considered first on the agenda and recused himself from the discussion.

VII. OLD BUSINESS

A. Stonegate CD-PUD General Plan and Preliminary Plat (7:03 p.m.)

Mitchell recused himself from the discussion.

Johnson stated that City staff received a letter from the applicant today requesting the item be tabled to the next Council meeting on October 6, 2015.

Batty stated that the City has received the required extension.

*Moved by Anderson, seconded by Cousineau, to table the Stonegate CD-PUD General Plan and Preliminary Plat request for consideration at the October 6, 2015 Council meeting. **Motion passed unanimously.***

1. ~~**Ordinance Establishing a Conservation Design-Planned Unit Development District for "Stonegate" and Amending the Official Zoning Map**~~
2. ~~**Resolution Authorizing Publication of the Ordinance by Title and Summary**~~
3. ~~**Resolution approving a Preliminary Plat and Establishing Findings of Fact for a General Plan Planned Unit Development for a Subdivision to be Known as "Stonegate"**~~

Mitchell rejoined the Council.

III. ADDITIONS TO THE AGENDA (7:05 p.m.)

The agenda was approved as presented.

IV. APPROVAL OF MINUTES (7:05 p.m.)

A. Approval of the September 1, 2015 Special City Council Meeting Minutes

*Moved by Pederson, seconded by Cousineau, to approve the September 1, 2015 regular City Council meeting minutes as presented. **Motion passed unanimously.***

B. Approval of the September 1, 2015 Regular City Council Meeting Minutes

It was noted on page two, line 49, it should state, "...work session earlier this evening to review the budget items in detail and at this meeting will provide..." On page two, line 16, it should state, "Martin ~~confirmed~~ requested and received confirmation..." On page six, line 23, it should state, "...rounding to the nearest whole number..." On page five, line 51, it should state, "...~~had~~ experiences..." On page nine, line nine, it should state, "...~~issues~~ examiners..."

*Moved by Anderson, seconded by Cousineau, to approve the September 1, 2015 special City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:08 p.m.)

A. Resolution No. 2015-77 Granting Preliminary and Final Plat Approval with Variance for Willow Manor

B. Resolution No. 2015-78 Approving Variance to Brian Etzel for Property Located at 2942 Lakeshore Avenue

C. Resolution No. 2015-79 Adopting the Updated Lake Minnetonka Emergency Operations Plan (LMEO)

D. Resolution No. 2015-80 Ordering Preparation of a Feasibility Report on the Sioux Drive Turn Lane Improvement Project

E. Amendment to Upland Buffer Easement Agreement with Charles W. Morse and Berit E. S. Morse

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

VI. COMMENTS (7:09 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer stated that the date for the next Park Commission meeting has been changed to September 23rd and had nothing further to report.

C. Planning Commission

Planning Commissioner Reid stated that the Commission met the previous week to consider a Conditional Use Permit to use a portion of the building at 52 Hamel Road for church meetings. She stated that the Commission recommended approval and actually recommended that up to 100 people be allowed to gather as long as the applicant can show proof of the shared parking available. She noted that the Commission also considered the updated Wealshire of Medina plan and recommended approval. She stated that the Commission also received an update from staff regarding the schedule to update the Comprehensive Plan.

VII. OLD BUSINESS (Continued)

B. Wealshire of Medina – Rezoning, Site Plan Review, Interim Use Permit (7:13 p.m.)

Finke stated that the Planning Commission reviewed the updated Site Plan the previous week as Reid noted. He reported that there was a reduction in square footage of the building, which was shifted to the south and east but noted that the number of residents would remain the same at 150. He stated that the shifting of the building further impacts the wetlands and the applicant is now proposing to conduct the mitigation onsite. He displayed the updated Site Plan and compared the plan to that of the previous submission. He noted that one Commissioner expressed the point of view that the property had been rezoned and perhaps the additional wetland would reduce the space available for further development. He noted that there is sufficient space available in the City for future development. He stated that the Commission did not recommend any further conditions and did recommend approval of the updated plan. He noted that if the Council is in agreement with the updated plan, no action would be necessary tonight.

Pederson asked if the property would access from Mohawk and whether a turn lane would be needed.

Finke provided additional information on the Mohawk access point, noting that there is already a condition that had been created in the last approval, which will carry forward. He noted that the only changes to the approved plan would be the reduced footprint of the building and the additional onsite mitigation that would be completed by the applicant.

C. Sewer and Water Connection Fee Policy Discussion (7:20 p.m.)

Finke stated that staff attempted to make the draft policy consistent with the comments made by the Council at the previous meeting. He noted that there would be a 100 percent credit (a maximum of two credits) for a new use moving into an existing space, which has previously paid City fees. He noted that a new construction use would not be eligible for the credit. He stated that there has been a reduction of unit calculation for restaurants, noting that 23 seats would equal one unit and advised that bars and coffee shops currently use a rate of 30 seats to one unit.

Martin provided some grammatical changes. She asked for further information regarding the Metropolitan Council determination.

Finke noted that term is not fully defined.

Martin stated that perhaps an additional statement should be added regarding the determination that would add further clarification. She stated that it can be difficult to understand because although sewer and water charges are separate, the determination is based on units that includes both sewer and water connections.

Cousineau asked at what point staff would reevaluate to determine the actual amount of usage.

Finke stated that there is nothing specific included in the policy as that can be determined on a case by case basis.

Mitchell stated that staff can further amend the policy and bring that back for approval.

Finke stated that there are people that are awaiting the Council decision to make the determination of whether or not they will be opening a business in Medina.

Johnson noted that the item could be approved tonight, contingent upon the requested changes being made.

Finke stated that the first two items could be approved as presented with the third item being approved contingent upon the changes recommended by the Council.

1. Ordinance No. 587 Amending the City of Medina Fee Schedule

*Moved by Anderson, seconded by Pederson, to adopt the Ordinance Amending the City of Medina Fee Schedule. **Motion passed unanimously.***

2. Resolution No. 2015-81 Authorizing Publication of Ordinance No. 587 by Title and Summary

*Moved by Anderson, seconded by Pederson, to adopt the Resolution Authorizing Publication of the Ordinance by Title and Summary. **Motion passed unanimously.***

3. Policy 21.10 Related to Sewer and Water Connection Fees

*Moved by Anderson, seconded by Pederson, to approve Policy 21.10 Related to Sewer and Water Connection Fees, with changes and additions noted by Council. **Motion passed unanimously.***

VIII. CITY ADMINISTRATOR REPORT (7:32 p.m.)

Johnson stated that the business tours will occur in October and received consensus from the Council to hold the event on October 15th. He asked if the Council would like to visit any specific businesses, noting that the Council typically visits three locations.

Pederson stated that perhaps the woman opening her business would like to be included in the visit.

Johnson noted three large businesses in Medina and received confirmation from the Council that they would be interested in possibly visiting those businesses. He reported that Medina Celebration Day would occur this Saturday from 4:00 – 8:30 p.m.

IX. MAYOR & CITY COUNCIL REPORTS (7:34 p.m.)

Mitchell stated that he received a call the previous week from a woman involved in the international sister cities program, who had been in contact with a woman in a small town in France. He stated that he visited with the Deputy Mayor of that town in France to discuss possible participation in the program. He noted that he may receive a letter regarding participation in the program and advised that the program would not have a cost to the City. He reported that former City Attorney Richard Shieffer has passed away.

X. APPROVAL TO PAY THE BILLS (7:37 p.m.)

*Moved by Anderson, seconded by Pederson, to approve the bills, EFT 003308E-003325E for \$43,923.02, order check numbers 43311-43377 for \$921,711.49, and payroll EFT 506639-506668 for \$44,536.44. **Motion passed unanimously.***

XI. CLOSED SESSION: UNION CONTRACT NEGOTIATIONS

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting to closed session at 7:38 p.m. to discuss union contract negotiations. **Motion passed unanimously.***

The meeting returned to open session at 8:18 p.m.

XII. ADJOURN

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting at 8:19 p.m. **Motion passed unanimously.***

Bob Mitchell, Mayor

Attest:

Scott Johnson, City Administrator