

MEDINA CITY COUNCIL MEETING MINUTES OF SEPTEMBER 20, 2011

The City Council of Medina, Minnesota met in regular session on September 20, 2011 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

Members present: Crosby, Pederson, Martinson, Siitari, and Weir.

Members absent: None.

Also present: City Attorney Ron Batty, City Engineer Darrin Amundsen, Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Scott Johnson, Chief of Police Ed Belland, and Dan Edgerton of Bonestroo.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

Crosby requested to add three items to the agenda, Schedule a Special Meeting on October 4, 2011 at 4:00 p.m., a Resolution Recognizing Jeanne Day for Service to the City of Medina, and TMDL Management.

*Moved by Weir, seconded by Pederson, to approve the agenda as amended. **Motion passed unanimously.***

IV. APPROVAL OF MINUTES

A. Approval of the September 6, 2011 5:30 p.m. Special City Council Meeting Minutes

*Moved by Weir, seconded by Pederson, to approve the September 6, 2011 5:30 p.m. special City Council meeting minutes as presented. **Motion passed unanimously.***

B. Approval of the September 6, 2011 6:30 p.m. Special City Council Meeting Minutes

*Moved by Weir, seconded by Pederson, to approve the September 6, 2011 6:30 p.m. special City Council meeting minutes as presented. **Motion passed unanimously.***

C. Approval of the September 6, 2011 Regular City Council Meeting Minutes

It was noted on page six, line 14, it should state, "...~~Pentom Lennar~~..." On page six, line 24, it should state, "...in the residential section of the Ordinance."

*Moved by Weir, seconded by Martinson, to approve the September 6, 2011 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

A. Approve IT Services Agreement

B. Approve Managed Vendor Service Agreement

C. Approve Spray Injection Patching Services Agreement

D. Approve Water Conservation Services Agreement

- E. **Authorize City Administrator to Enroll in Donald Salverda & Associates Effective Management Program**
- F. **Resolution No. 2011-82 of Local Government Unit Authorizing Filing of Application and Execution of Agreement to Develop a Sport Facility by Installing Ball Field Lights Under the Provisions of the Hennepin Youth Sports Program**
- G. **Resolution No. 2011-83 Certifying Delinquent City Charges for Services to the Hennepin County Auditor for Collection in 2012**

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

VI. PRESENTATIONS

- A. **Resolution No. 2011-84 Recognizing Jodi Gallup for Five Years of Service to the City of Medina**

Crosby thanked Jodi Gallup for her services to the City of Medina, and commented that she has been a vital part of City staff. He read the Resolution recognizing Jodi Gallup for her five years of service to the City of Medina and presented the Resolution to Jodi.

*Moved by Weir, seconded by Pederson, to approve the Resolution No. 2011-84 Recognizing Jodi Gallup for Five Years of Service to the City of Medina. **Motion passed unanimously.***

VII. COMMENTS

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

There were none.

- B. **Park Commission**

No report.

- C. **Planning Commission**

No report.

VIII. OLD BUSINESS

- A. **Stormwater Ordinance Discussion**

Finke noted that this item had been previously discussed at the July 19th Council meeting and advised that staff attempted to obtain additional feedback. He reported that one comment had been received and was included in the Council packet. He advised that comparison information had also been gathered, as requested. He believed that the Ordinance, as compared to other communities, is fairly common, although there are requirements for small projects that may be uncommon.

Crosby discussed the regulations of the different Watersheds to which the City belongs. He believed that although the City should be responsible to the environment, he did not want the City to stand out for strict regulations that go far beyond what is necessary.

Weir provided additional comparison information and advised of discussions she has had with staff from neighboring cities. She believed that the same stormwater requirements should be applied across the City, rather than applying the requirements of

Minnehaha to one portion of the City, and less restrictive requirements in the other areas of the City.

Edgerton confirmed that the infiltration requirement of 1.1 inches is most likely going to be applied and required across the Metro area.

Finke clarified that this Ordinance establishes the guidelines for the City and is separate from the requirements of the Watershed. He stated that he would like to streamline the process going forward to simplify the process and make it easier for homeowners. He explained that currently the City has one set of calculations and the Watershed has separate calculations for the same project.

Edgerton noted that this would most likely be complete in the spring.

Crosby stated that he would like flexibility and would like to know whether this Ordinance matches the discussion of the State. He questioned how the proposed Ordinance would have affected a recently approved project.

Amundsen commented that the project would have been similar in design, but noted that it would be hard to equally compare the information.

Edgerton provided background information regarding water treatment standards.

Weir provided information on which portions of the City belong to each Watershed. She clarified where most development would occur and which Watershed those areas belong to.

Martinson confirmed that future commercial development would not be made to follow more stringent requirements than the OSI project was made to follow.

Crosby confirmed that he would like to see conformation to community standards, additional flexibility, and ensuring that these requirements are not building another hurdle for builders. He suggested that only cities and Watersheds who have considered the issues and set standards should be used for comparison purposes.

Finke stated that the purpose of the Ordinance is to incorporate the Surface Water Management Plan of the City. He believed that the Council should not simply focus on one aspect of the Ordinance, but the Ordinance as a whole and all the aspects including volume control, run-off control, and water quality. He discussed the items that would trigger the regulations of the City and questioned if the Council desired to include an additional trigger. He reviewed the phosphorus reduction requirements specified in the proposed Ordinance and what would trigger those requirements.

Crosby stated that if the City were to become too stringent in these requirements it could discourage businesses from doing what needs to be done, such as improvements, to stay competitive.

Finke explained that the requirements must be in agreement with the Comprehensive Plan. He questioned the Council position on the requirements for smaller projects and noted that not all communities regulate those projects.

Crosby provided examples of businesses which may join existing buildings and questioned if the regulations would be triggered.

Amundsen explained that the stormwater aspects for those buildings were designed for full capacity and noted that because the hardcover would not increase, the regulations would not be triggered.

Finke noted that for those cases water quality aspects could be considered, such as phosphorus removal.

Weir discussed maintenance of stormwater ponds.

Finke stated that he would like guidance regarding the smaller projects.

Crosby stated that he would like to see flexibility to ensure that businesses are able to make needed improvements without a large additional cost to meet these regulations.

Weir suggested including additional tree planting as another method for infiltration. She also discussed other items which she felt could be included in the Ordinance language.

Edgerton confirmed that some of those items could be included in the Ordinance, but could not be used as standalone systems.

Crosby hoped that these regulations could be applied beginning January 1, 2012.

Finke noted that this item could be brought back before the Council in October or November for additional review.

IX. NEW BUSINESS

A. Establishment of Economic Development Authority – Public Hearing

Batty reported that the Council discussed this item at the meeting on August 16, 2011 and noted that the comments from that discussion were incorporated into the draft. He stated that because there was inconsistency in the number of members on the EDA, the document calls for a seven member EDA which would include five Council members and two additional members. He provided an example of another community which developed a five member EDA, which was simply the Council, with the authority to form Subcommittees when necessary.

Crosby stated that he believed that members outside the Council should be able to vote and would be in favor of a seven member EDA.

Batty noted that if members outside of the Council are appointed, additional difficulties could arise such as scheduling and conflict of interest.

Weir questioned why Crosby felt it necessary to bring in members outside of the Council.

Crosby stated that if the true nature of an EDA is for economic development, he felt that business members should be brought in for their knowledge. He questioned what would be necessary to amend the Resolution.

Batty explained that the Resolution could be amended at any time in the future by holding a public hearing. He stated that in his experience a Council composed EDA is more successful.

Johnson stated that in his opinion he believed that it may be beneficial for the EDA to simply be composed of the Council at this time and noted that additional members could be added in the future if the Council felt it would be beneficial.

Crosby suggested that the EDA simply be composed of the Council to begin with and additional members could be added in the future if necessary.

Crosby opened the public hearing at 8:31 p.m.

No public input was received.

*Moved by Siitari, seconded by Pederson, to close the public hearing at 8:31 p.m.
Motion passed unanimously.*

1. **Resolution No. 2011-85 Enabling Resolution Establishing the Medina Economic Development Authority**

*Moved by Weir, seconded by Martinson, to approve Resolution No. 2011-85 Enabling Resolution Establishing the Medina Economic Development Authority, amending paragraph 2.03 to state that “the EDA consists of five members, which will be the members of the City Council.” **Motion passed unanimously.***

Batty provided a timeline and discussed the process that would be followed to fully establish the EDA.

Crosby called for an EDA meeting to occur at 6:30 p.m. on October 4, 2011.

Weir noted that she would be unable to attend the meetings on that date.

B. **Schedule Special Council Meeting for October 4, 2011**

Crosby noted that this would be a closed session meeting to discuss potential litigation regarding Woodridge versus the City of Medina.

*Moved by Martinson, seconded by Weir, to schedule a special Council meeting to take place at 5:30 p.m. on October 4, 2011. **Motion passed unanimously.***

C. **Resolution No. 2011-86 Recognizing Jeanne Day for Five Years of Service to the City of Medina**

Crosby reported that Jeanne Day was the first Finance Director for Medina, serving from March 2006 through September 2011. He stated that Day brought the City into the current financial times through her years of service.

*Moved by Weir, seconded by Pederson, to approve the Resolution No. 2011-86 Recognizing Jeanne Day for Five Years of Service to the City of Medina. **Motion passed unanimously.***

D. **TMDL Management**

Weir provided an update regarding the Sarah-Pioneer Creek Watershed District and the needed update of a Plan. She noted that there would be a financial cost to this update and confirmed that members of City staff would be attending an upcoming meeting to support the City of Medina. She also provided information regarding additional TMDL requirements that may arise. She stated that there are citizen volunteers attending the meetings and requested that those citizens provide an update occasionally to the Council.

Crosby stated that given the importance of these issues to the City, he believed that the City Administrator should be involved to some degree to coordinate information from the volunteers to the Council and City staff.

Weir stated that she recently spoke to a resident regarding the speed of vehicles at CR 101 in Gramercy. She asked that Scherer review the issue.

X. CITY ADMINISTRATOR REPORT

Johnson noted that Medina Celebration Day would be held this Saturday, September 24th from 4:00 p.m. to 8:00 p.m., with fireworks to follow. He confirmed that Crosby and Pederson would like to take part in the final round of interviews with the candidates for the Finance Director position.

XI. MAYOR & CITY COUNCIL REPORTS

Pederson advised that the Uptown Hamel meeting occurred earlier today and noted that Johnson also attended the meeting with him. He advised that he attended the Council open office hours the previous weekend and was disappointed that more residents do not take advantage of that time.

Crosby reviewed a notification that West Hennepin Pioneer Association is holding an open house for their new addition on Saturday, October 8th at 12:00 p.m. in Long Lake. He stated that he has been in discussion with Johnson regarding the budget process and the goal to keep the budget constant. He stated that he also reviewed the Capital Improvement Plan and made suggestions to ensure that the document is as realistic as possible. He suggested that a public works agenda item be added to the regular Council meeting on October 4th.

The Council reviewed the upcoming meetings and noted which members would have conflicts with upcoming meetings.

XII. APPROVAL TO PAY THE BILLS

*Moved by Weir, seconded by Pederson, to approve the bills, EFT 001302E-001322E for \$71,455.88 and order check numbers 037346-037400 for \$166,140.54, and payroll EFT 503759-503790 for \$45,979.58 and payroll check 020349 for \$2,207.78. **Motion passed unanimously.***

XIII. ADJOURN

*Moved by Weir, seconded by Siitari, to adjourn the meeting at 8:52 p.m. **Motion passed unanimously.***

T.M. Crosby, Jr., Mayor

Attest:

Scott Johnson, City Administrator