

## MEDINA CITY COUNCIL MEETING MINUTES OF NOVEMBER 15, 2011

The City Council of Medina, Minnesota met in regular session on November 15, 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 Kellie Schlegel, Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Scott Johnson, Chief of Police Ed Belland, and Recording Secretary Amanda Staple.

### II. PLEDGE OF ALLEGIANCE

### III. ADDITIONS TO THE AGENDA

*The agenda was accepted as presented.*

### IV. APPROVAL OF MINUTES

#### A. Approval of the November 1, 2011 Regular City Council Meeting Minutes

It was noted on page four, line 45, it should state, "...would not be in agreement..." On page six, lines 23 and 24, it should state, "...four organizations which belong to the Watershed border Lake Independence, which would equal up to \$1,500 for the City of Medina." On page seven, line five, it should state, "Dan Anderson Edgerton..." On page seven, line 45, it should state, "...confirmed that the standard rate of rainfall volume control..."

*Moved by Pederson, seconded by Siitari, to approve the November 1, 2011 regular City Council meeting minutes as amended. **Motion passed unanimously.***

### V. CONSENT AGENDA

#### A. Approve Raffle Permit to NW Suburban Chapter of Pheasants Forever at Medina Golf & Country Club on February 4, 2012

#### B. Appoint Judy Press Brenner as Alternate Representative to the Lake Minnetonka Communication Commission

#### C. Approve Renewal of Embedded Systems Agreement

#### D. Authorize Sale of Police Vehicle

#### E. Resolution No. 2011-96 Accepting Donation from Liberty Triathlon

#### F. Resolution No. 2011-97 Approving a Waiver from Regulations Related to the Keeping of Animals as Pets and Granting a Private Kennel License to Bruce and Jean Neumann at 25 Hamel Road

#### G. Resolution No. 2011-98 Authorizing Publication of Ordinance 510 by Title and Summary

#### H. Resolution No. 2011-99 Recognizing Janet White for her Service to the City of Medina on the Medina Park Commission

- I. **Ordinance No. 513 Pertaining to the Management of Stormwater Adding Section 828.33 to the Medina Zoning Ordinance**
- J. **Resolution No. 2011-100 Authorizing Publication of Stormwater Ordinance by Title and Summary**
- K. **Approve Stormwater Design Guidelines**

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

## **VI. COMMENTS**

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

Jeff Huston, 200 Cheyenne Trail, stated that he was present to discuss a high voltage transmission line which is scheduled to begin in 2012 and provided background information regarding the project. He noted that his home is located near the project site and expressed his concerns. He also questioned if residents had been notified of the project, as he was unable to find anything on the City website, and suggested that the line be relocated or buried if possible.

Weir stated that she was not fully informed on the project and believed that additional information could be obtained.

Crosby asked that staff obtain a timetable for the project, as well as a map of the project area, which could be placed on the City website. He suggested that the notification efforts for this project also be increased.

Martinson stated that the public comment period expired on November 9<sup>th</sup> and suggested that a request be made that the lines be buried in residential areas.

Huston reported that the City of Plymouth has passed a Resolution in support of relocation of the line.

Johnson confirmed that Plymouth has requested the redirection of the line to the TH 55 and TH 494 corridor. He confirmed that Finke is the City staff person assigned to the task force for the project.

Crosby confirmed that staff would obtain additional information and report back to the Council.

### **B. Park Commission**

Scherer noted that the Commission would be meeting the following night and summarized the items that would be discussed.

### **C. Planning Commission**

Finke reported that the November meeting of the Commission had been canceled due to lack of business and reviewed the items that may be discussed at the December meeting.

## **VII. OLD BUSINESS**

### **A. Public Works Facility**

Crosby stated that there is a need, which had been identified many years ago, for a new public works facility. He provided background information regarding the process that has begun including the option to purchase 11 acres from Hennepin County on which the new facility could be built, the option to purchase a building which would fit the needs of the City, and options for financing the new facility. He advised that the Council has formed an EDA and developed a Capital Improvement Plan. He explained that the City now has the ability to sell bonds, up to \$6,500,000, to finance the new public works facility. He advised that the City would continue to update residents on this process.

**B. Ordinance No. 514 Amending Chapter 8 of the Code of Ordinances Regarding Accessory Dwelling Units in Residential Zoning Districts**

Pederson recused himself from the discussion.

Finke provided background information on the item and noted that staff did follow-up with the MET Council. He advised that the MET Council does not currently have regulations which guide accessory dwelling units but noted that if the Ordinance was not in agreement with the Comprehensive Plan, an amendment should be made to the Plan. He stated that it is the decision of the Council to determine if this Ordinance, as proposed, is consistent with the Comprehensive Plan.

Crosby stated that after reviewing the Ordinance he believes that the Council could adopt the Ordinance as is and if issues arise the issue could be reviewed again.

*Moved by Weir, seconded by Martinson, to adopt the Ordinance No. 514 Amending Chapter 8 of the Code of Ordinances Regarding Accessory Dwelling Structures. **Motion passed unanimously.***

**1. Resolution No. 2011-101 Authorizing Publication of Ordinance by Title and Summary**

*Moved by Weir, seconded by Siitari, to approve the Resolution No. 2011-101 Authorizing Publication of the Ordinance by Title and Summary. **Motion passed unanimously.***

**VIII. NEW BUSINESS**

**A. Watershed Tax Jurisdictions**

Johnson stated that options for watershed tax jurisdictions were discussed briefly at the last Pioneer-Sarah Watershed meeting. He noted that Batty has reviewed the information and drafted five options for watershed tax jurisdictions for the Council to review. He briefly reviewed each of the five options for watershed taxing jurisdictions and explained how each option could be enacted.

Crosby noted that there are three watersheds within Medina.

Weir stated that she would be in favor of the second option, which would establish a storm water utility and set different rates for property in each watershed district.

Crosby stated that he would be in favor of the first option, which would establish a watershed management tax district covering only the portion of the city lying within a single watershed management organization.

Batty explained that only the first two options are worth discussing, as those are the only options which the City could enact, and provided additional information. He noted that under the first option there would be two taxing districts established, as Minnehaha Creek holds its own taxing authority and already collects funds from residents living within that District.

Crosby explained that one benefit to the first option would be that the funds would be collected through a tax, rather than a fee paid, which would be eligible as a deduction on a resident's income tax.

Weir asked that staff determine the amount of staff time that would be required for both options one and two.

Crosby confirmed that there is consensus on the Council to further discuss options one and two and directed staff to obtain the information regarding administrative time.

**B. Tomann Preserve Grant Application**

Johnson stated that he received an email from Great River Greening regarding a possible partnership opportunity for habitat restoration. He believed that Tomann Preserve would be a great site for this opportunity and noted that the Park Commission would also review this item at their meeting the following night. He explained that the Council is reviewing this item first in order to fit with the timeline for the grant opportunity.

*Moved by Weir, seconded by Siitari, to approve the use of park dedication funds, up to \$10,000, as a local match for the Great River Greening Grant. **Motion passed unanimously.***

**IX. CITY ADMINISTRATOR REPORT**

**A. Community Service Officer Leave Benefits**

Johnson provided background information regarding the request.

Belland explained that the description of the CSO position had been changed to part-time/temporary to allow for student applicants. He advised that temporary employees are defined as employees of less than one year and therefore do not accumulate sick or vacation benefits. He explained that because this employee will be in the CSO position for two to three years he felt that the employee should receive equal benefits to other part-time positions.

*Moved by Weir, seconded by Martinson, to approve accumulation of half-time sick and vacation time benefits for CSO Kordiak. **Motion passed unanimously.***

**B. Other**

Johnson reported that the Business Forum is scheduled for 7:30 a.m. the following morning at the Hamel Community Room.

**X. MAYOR & CITY COUNCIL REPORTS**

Crosby advised of an upcoming open house at OSI. He provided an update regarding the CR 116 and TH 55 intersection, and the Council further discussed the project.

Weir questioned if any further follow-up occurred on the Fern Street concerns expressed at the previous meeting.

Belland stated that he visited Fern Street on three occasions, at the time specified as the busiest, and did not encounter any speeding or a high amount of traffic.

Pederson provided an update of the Uptown Hamel meeting and thanked staff for their efforts.

Martinson provided an update on the Northwest League of Municipalities.

**XI. APPROVAL TO PAY THE BILLS**

*Moved by Weir, seconded by Pederson, to approve the bills, EFT 001378E-001405E for \$48,834.70 and order check numbers 037581-037642 for \$199,632.57, and payroll EFT 503874-503904 for \$44,232.94. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Weir, seconded by Siitari, to adjourn the meeting at 8:25 p.m. **Motion passed unanimously.***

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T.M. Crosby, Jr., Mayor

Attest:

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Scott Johnson, City Administrator