

## MEDINA CITY COUNCIL MEETING MINUTES OF DECEMBER 3, 2013

The City Council of Medina, Minnesota met in regular session on December 3, 2013 at 7:00 p.m. in the City Hall Chambers. Mayor Weir presided.

### **I. ROLL CALL**

**Members present:** Anderson, Martin, Martinson, and Weir.

**Members absent:** Pederson.

**Also present:** City Administrator Scott Johnson, City Attorney Ron Batty, Public Works Director Steve Scherer, City Engineer Tom Kellogg, City Planner Dusty Finke, Finance Director Joe Rigdon, Assistant Finance Director Erin Barnhart, Chief of Police Ed Belland, and Recording Secretary Amanda Staple.

### **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 (7:01 p.m.)**

#### **A. Approval of the November 19, 2013 Special City Council Meeting Minutes**

*Moved by Martinson, seconded by Martin, to approve the November 19, 2013 special City Council meeting minutes as presented. **Motion passed unanimously.***

#### **B. Approval of the November 19, 2013 Regular City Council Meeting Minutes**

It was noted on page two, line 12, it should state, "...Metropolitan Council; ~~explaining~~ suggesting..." On page three, line 47, it should state, "...two year agreement because the buyout cost would be lower." On page four, line 26, it should state, "...16 lot Woods of Medina development."

*Moved by Martin, seconded by Martinson, to approve the November 19, 2013 regular City Council meeting minutes as amended. **Motion passed unanimously.***

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

- A. Approve Raffle Permit to Tribute to the Troops, Minnesota at 500 Highway 55 on September 7, 2014**
- B. Approve Legal Invoice for Brian Grogan from Moss & Barnett**
- C. Approve Videography Service Agreement with Cipher Laboratories, Inc.**
- D. Approve Amendment 1 to Service Agreement with Cipher Laboratories, Inc.**
- E. Approve Addendum to Recording Secretary Service Agreement with TimeSaver Off Site Secretarial, Inc.**
- F. Approve EPDB Conditional Use License Agreement with Hennepin County**
- G. Approve 2014 Tobacco License Renewals**
- H. Approve Tobacco License to Jensen & Sons, Inc. at 314 Clydesdale Trail, Medina, MN 55340**
- I. Resolution No. 2013-87 Reducing Double Assessment for Property Identification Number 13-118-23-12-0018**

**J. Resolution No. 2013-88 Accepting Donation from Steve Lundell**  
*Moved by Anderson, seconded by Martinson, to approve the consent agenda. Motion passed unanimously.*

**VI. COMMENTS**

**A. Comments from Citizens on Items not on the Agenda (7:07 p.m.)**  
There were none.

**B. Park Commission (7:07 p.m.)**  
Park Commissioner Ann Thies reported at the last meeting the Commission discussed the Woods of Medina Preliminary Plat, specific to whether parks would be planned. She stated that while it was determined that park land is not necessary; a trail connection may be beneficial. She advised that the D.R. Horton plan was discussed as well in regard to the woods, noting that it suggested that a 20 to 30 year covenant be placed on the high quality woods in order to preserve the area. She stated that the Commission also reviewed the Master Park Plan and reached resolution regarding the dog park language. She believed the Plan would be ready for presentation to the Council in the near future. She advised that the layout of the park signs was also discussed, with suggestion for more appropriate graphics.

**C. Planning Commission (7:12 p.m.)**  
Finke advised that the Planning Commission will meet the following week to continue a public hearing for the Fawn Meadows subdivision.

**VII. PRESENTATION (7:13 p.m.)**

**A. Resolution No. 2013-89 Recognizing Keith Converse for Ten Years of Service to the City of Medina**  
Weir read the proposed Resolution recognizing Keith Converse for his ten years of service to the City of Medina.

*Moved by Anderson, seconded by Martinson, to approve Resolution No. 2013-89 recognizing Keith Converse for ten years of service to the City of Medina. Motion passed unanimously.*

Belland stated that it is his privilege to recognize Keith Converse for his hard work within the community, specifically with children. He stated that Keith Converse represents the department well and even before his ten years within the department he had worked with the department towing cars for the police. He thanked Keith Converse for his service to the City.

Weir also thanked Keith Converse for his service to the City.

**VIII. NEW BUSINESS**

**A. 2014 Budget (7:15 p.m.)**

**1. Budget and Tax Levy Presentation – Public Comment**

Johnson provided a summary of the 2014 budget process. He reviewed the proposed budget for 2014 and compared that to the budget for 2013. He reviewed some of the

major budget issues for the year including the addition of the 600 Clydesdale Trail building, healthcare insurance costs, and property/liability insurance changes. He reviewed the proposed tax levy for 2014, including the preliminary rate that was certified to Hennepin County in September. He noted that both the budget and levy are proposed for increase because of the new facility at 600 Clydesdale Trail and long-term road improvement needs. He reviewed other long-term needs of the City and referenced the Financial Management Plan of the City. He noted that while the taxable market rate value estimate has fallen, the rate seems to have stabilized for 2014. He provided tax rate comparison information comparing both the 2013 and 2014 information for the City as well as comparison information for six of the surrounding communities. He advised of the three percent increase for the utility rates as proposed and also reviewed information regarding the sales and use tax exemption, which is new legislation and becomes effective in 2014.

Weir opened the floor for public comment at 7:25 p.m.

There was no public comment received.

Weir referenced the increases for the bonding and operations of the 600 Clydesdale Trail building. She congratulated staff on their ability to provide full services and still keep the costs low.

**2. Resolution No. 2013-90 Approving 2014 Final Tax Levy**

*Moved by Martinson, seconded by Anderson, to approve Resolution No. 2013-90 approving the 2014 final tax levy. **Motion passed unanimously.***

**3. Resolution No. 2013-91 Approving 2014 Final Budget**

*Moved by Martinson, seconded by Anderson, to approve Resolution No. 2013-91 approving the 2014 final budget. **Motion passed unanimously.***

**B. Ordinance No. 556 Amending Fee Schedule (7:27 p.m.)**

Johnson noted that there are a few proposed changes to the fee schedule and briefly reviewed those amendments.

Weir confirmed that the hunting permit cost was not increased for the special hunting area.

Johnson noted that the utility fees are proposed for a three percent increase, as discussed in the budget.

Anderson questioned whether the City is competitive with neighboring communities in regard to fee amounts.

Johnson noted that while some fees are similar, Medina has higher water fees because of our smaller, separate water systems compared to Maple Grove and Plymouth.

*Moved by Anderson, seconded by Martinson, to adopt Ordinance No. 556 amending the 2014 fee schedule. **Motion passed unanimously.***

**1. Resolution No. 2013-92 Authorizing Publication of Ordinance No. 556 by Title and Summary**

*Moved by Anderson, seconded by Martinson, to approve Resolution No. 2013-92 authorizing publication of Ordinance No. 556 by title and summary. **Motion passed unanimously.***

**C. Update on Leviton/Reid Litigation (7:30 p.m.)**

Johnson advised that the City did receive some good news regarding a settlement that has been reached in the Leviton/Reid litigation. He asked for the Council's approval of the settlement agreement.

Batty advised that this is an updated version from the version included in the packet. He stated that in the past this issue had been discussed in closed session although he did not believe that would be necessary in this case.

Weir confirmed that the Council did not feel much discussion was needed and therefore closed session would not be necessary.

Batty stated that the parties have agreed on the purchase of the property, which settles that matter. He advised that there is a purchase agreement between the involved parties and explained that once the land transfer occurs the stipulation of dismissal will be executed.

Martinson confirmed that the settlement agreement stipulates that the previous variances for the property would be nullified upon the closing of the sale.

*Moved by Martinson, seconded by Anderson, to authorize the Mayor and City Administrator to execute the Leviton/Reid litigation settlement agreement. **Motion passed unanimously.***

**IX. CITY ADMINISTRATOR REPORT (7:41 p.m.)**

Johnson stated that he is attempting to schedule the goals session for the City Council in January and noted that he would send a follow-up email to determine the exact date.

**X. MAYOR & CITY COUNCIL REPORTS (7:42 p.m.)**

Weir reminded television viewers that beginning in January the meetings will be recorded in a different manner and will then be accessible on the City website. She noted that the service is much more economically feasible and also involves the decision of the City to leave the LMCC.

**XI. APPROVAL TO PAY THE BILLS (7:43 p.m.)**

*Moved by Anderson, seconded by Martinson, to approve the bills, EFT 002363E-002377E for \$34,844.83, and order check numbers 040481-040526 for \$493,529.81, payroll EFT 505318-505341 for \$44,717.66 and payroll check number 020411 for \$532.34. **Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Anderson, seconded by Martin, to adjourn the meeting at 7:44 p.m. **Motion passed unanimously.***

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Elizabeth Weir, Mayor

Attest:

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Scott Johnson, City Administrator