

MEDINA CITY COUNCIL MEETING MINUTES OF JANUARY 2, 2018

The City Council of Medina, Minnesota met in regular session on January 2, 2018 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 (7:01 p.m.)

A. Approval of the December 19, 2017 Regular City Council Meeting Minutes

Johnson noted that he received, and provided copies of, suggested corrections from Martin and Batty.

It was noted on page seven, line 37, it should state, "...turns red ~~once~~ only after three or four vehicles..." On page nine, line 14, it should state, "...blanket moratorium that..." On page nine, line 32, it should state, "...not ready for ~~the~~ other development because of the timing..." On page nine, line 38, it should state, "...Cavanaugh property since the last time this applicant came forward." On page nine, line 40, it should state, "...comes ~~in~~ the future will be of the quality the City wants the City will ensure it meets its high standards." On page ten, line one, it should state, "...~~read~~ land acquisitions..." On page ten, line eight, it should state, "...properties ~~and that~~ would provide ~~the~~ an opportunity for a developer to manage both properties." On page 11, line 37, it should state, "...there is ~~are comments of the~~ additional..." On page 11, line 44, it should state, "...that project was approved even without ~~knowing~~ considering that Chippewa would be done."

*Moved by Martin, seconded by Pederson, to approve the December 19, 2017 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:06 p.m.)

A. Resolution No. 2018-01 Accepting Donation from Doboszinski and Sons, Inc.

B. Resolution No. 2018-02 Accepting Donation from Robert Thomssen

C. Approve Amended 64.00 Friends of the Park Program

D. Approve Park Dedication Funds Towards Field Safety Improvement Project at Hamel Legion Park

E. Approve 2018 Meeting Calendar

F. Resolution Establishing 2018 Appointments and Designations to Various City Services, Authorities, Commissions, and Agencies

Johnson requested to pull Item F from the Consent Agenda.

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

F. Resolution No. 2018-03 Establishing 2018 Appointments and Designations to Various City Services, Authorities, Commissions, and Agencies

Johnson stated that staff received two applications for the two vacant Park Commission positions and therefore presented a new resolution to consider appointing the two applicants to the Park Commission, Mary Morrison and Ann Thies.

Moved by Anderson, seconded by Pederson, to adopt Resolution No. 2018-03 Establishing 2018 Appointments and Designations to Various City Services, Authorities, Commissions, and Agencies per the information presented by staff. Motion passed unanimously.

VI. COMMENTS (7:08 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 to discuss the grant funds that were awarded and came to a compromise on cost-sharing to bring the ball field deficiencies up to date. He provided additional details on the negotiation with the baseball association for the cost-share. He stated that the Commission will discuss a more specific cost-share policy going forward that would make the decisions much easier in the future. He stated that the improvements will make the field much better and will assist in fundraising opportunities. He stated that the snow machine is working great and the sledding hill has been well used at Hamel Legion Park, even in the cold temperatures.

C. Planning Commission

Finke reported that the Planning Commission will meet on Thursday, January 18th, to consider a hearing regarding a text amendment to the commercial zoning districts to consider allowing fiber cement board as a building material. He stated that the Commission will also consider a site plan review for a building addition and will also review regulations in the R-1, R-2, and R-3 zoning districts to begin reviewing the updates that will be necessary for implementation of the draft Comprehensive Plan. He stated that staff received a letter from the Metropolitan Council today stating that the draft comprehensive plan is incomplete and therefore the discussion on the R-1, R-2, and R-3 zoning districts may be delayed, to allow staff additional time to make the necessary revisions to the draft comprehensive plan. He provided details on the comments received from the Metropolitan Council regarding the staging for high-density housing and the limits of the future sewered area.

VII. NEW BUSINESS

A. Ordinance Regarding Keeping Chickens and Bees; Amending Chapter 8 of the City Code (7:14 p.m.)

Finke stated that this discussion came forward from requests the City has received for variances on smaller lots for chicken coops. He stated that direction was given to review the setback for the rural residential area and staff decided to open a broader discussion on urban agriculture, or the keeping of bees and chickens on smaller residential lots. He noted that there are a number of communities throughout the metro area which allow that activity. He stated that the first topic for discussion is whether it would make sense to reduce the setback for a chicken coop on rural residential lots. He noted that the second topic would be whether to allow bees and chickens on suburban and urban residential lots. He noted that the proposed changes to the rural residential would reduce the setback from 150 to 50 feet, noting that other animal setbacks would remain unchanged. He noted that there would be additional limitations for coops within the smaller setback area. He stated that the ordinance would also allow a limited allowance in the single-family residential districts with specific limitations as outlined. He stated that currently, bee and chicken keeping is only allowed in the rural residential areas. He stated that the bee keeping ordinance would remain unchanged for rural residential but would open that activity to certain other districts within the city with specific limitations. He highlighted elements that the Council should consider. He reported that the Planning Commission held a public hearing in December and voted 3-2 to recommend adoption of the ordinance as presented. He noted that two members of the Commission expressed concern with allowing the activities on smaller lots, specifically regarding nuisance and safety concerns. He noted that the remainder of the Commission did not share those concerns and believed that the activity would not differ from the keeping of other domestic animals.

Mitchell asked what would occur if people receive permission and then the City has problems with the activity and revokes the ordinance.

Batty stated that is an interesting question, as animals die and therefore it would be unlike grandfathering in a building.

Cousineau stated that she has had neighbors that have chickens, because there is not an ordinance currently. Cousineau asked if the inverse were true, if the ordinance did not list the use as permitted, would it still be in violation.

Finke stated that while there is not an explicit ordinance prohibiting that activity, that activity is not listed as an allowed activity and therefore is prohibited. He stated that the City has enforced that prohibition after receiving complaints.

Martin asked the minimum lot size that would be sufficient to permit compliance with the ordinance.

Finke replied that the minimum lot size would be 8,000 square feet, a quarter acre lot.

Martin stated that seems very small. She stated a Planning Commissioner had mentioned her child has a bee allergy, which would be a concern. She stated that chickens cluck and have a smell and therefore it seems this would allow barnyard activity on a small lot.

Mitchell noted this would be a small number of chickens.

Martin asked if the chickens would be required to remain in the coop.

Finke replied that the chickens would need to be within a fenced area,

Pederson stated that he grew up with chickens and believes they belong where they are in the ordinance. He stated that allowing this activity in the smaller residential areas would increase the police calls.

Martin stated that she can appreciate the desire to have organic eggs but has concerns with the impact to neighbors on small suburban lots.

Cousineau stated that she surveyed different residents in different suburban areas of the City and the consensus was that this activity remain in the rural residential areas. She stated that a home owners' association may override the ability to keep chickens and bees as well.

Martin stated that an HOA covenant only remains intact for 30 years.

Cousineau stated that perhaps this is ten years too early and noted that perhaps when more millennials enter the City, they will be more open to the idea.

Martin stated that she would recommend deleting 8.2.21 and the cross references to section 8.2.21. She did not believe there is a place for chickens in the more dense residential districts outside of the rural residential district.

Johnson asked if the Council would be amenable to the keeping of bees on urban commercial lots.

It was the consensus of the Council to allow that activity.

Martin stated that she is not well versed on the activity of keeping bees.

Anderson noted that there are people allergic to bees.

Cousineau asked if there is a risk of Africanized colonies of bees, which become aggressive.

Finke stated that from those he has spoken to, that is not a concern because of the way the bees are bred and sold.

Mitchell asked and received confirmation that this would be restricted to honey bees.

Cousineau asked if this could also be limited to rural residential.

Finke stated that bee keeping is already permitted in that district. He asked if the Council would like to reduce the setback for chicken coops on rural residential lots.

Martin stated that she likes the proposed drafting of the chicken coop language in sections one, two and three.

Mitchell agreed that there would be difficulty in meeting the 150-foot setback for some lots.

Martin stated that she would be fine reducing the setback to 50 feet. She stated that the activity would occur in the rural area and therefore that activity could be anticipated. She highlighted the consensus of the Council on the sections of the proposed ordinance language.

Mitchell suggested that staff make the desired changes to the ordinance and bring the item back on a future consent agenda.

*Moved by Martin, seconded by Anderson, to direct staff to revise the Ordinance Regarding Keeping Chickens and Bees; Amending Chapter 8 of the City Code as reviewed and discussed. **Motion passed unanimously.***

VIII. CITY ADMINISTRATOR REPORT (7:40 p.m.)

Johnson noted that on January 16th the City Council will hold its 2018 Goals Work Session at 4:00 pm, a 6:30 EDA meeting, and a 7:00 p.m. City Council.

Martin noted that she is scheduled to be on vacation that week and could review the material ahead of time to provide her comments.

IX. MAYOR & CITY COUNCIL REPORTS (7:41 p.m.)

Mitchell commented that he would like the Council, staff, and residents to focus on being honest and trustworthy as there has been trouble around the world. He stated that the staff, Council, and Commissions have always maintained a high standard of trust and honesty and would like everyone to continue to focus on those elements. He stated that he would like the City to be a model for other people.

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

*Moved by Martin, seconded by Anderson, to approve the bills, EFT 004436E-004450E for \$54,739.22 and order check numbers 046749-046789 for \$147,120.60 and payroll EFT 0508365-0508391 for \$49,876.53. **Motion passed unanimously.***

XI. ADJOURN

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

Bob Mitchell, Mayor

Attest:

Jodi M. Gallup, City Clerk