

MEDINA CITY COUNCIL MEETING MINUTES OF FEBRUARY 20, 2018

The City Council of Medina, Minnesota met in regular session on February 20, 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, Finance Director Erin Barnhart, 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 (7:00 p.m.)

A. Approval of the February 7, 2018 Regular City Council Meeting Minutes

It was noted on page three, line nine, it should state, "...that ~~they~~ it use uses and ~~are~~ her firm is..." On page three, line 12, it should state, "She stated that this brand always ~~used~~ has been the 5/8 of an inch in width." On page four, line 18, it should state, "...~~reecover~~ re-cover..."

*Moved by Anderson, seconded by Pederson, to approve the February 7, 2018 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:03 p.m.)

- A. Approve Lawn and Ground Services Agreement with Shaggies Lawn Care**
- B. Approve Weed Control and Fertilization Services Agreement with Nitro Green**
- C. Approve Portable Sanitation Services Agreement with Jimmy's Johnnys**
- D. Approve Snow Removal Services Agreement for the Hamel Community Building with Hunzy's LLC**
- E. Approve Petroleum Storage Tank Release Investigation & Corrective Action Agreement with Thatcher Engineering, Inc.**
- F. Approve Ballfield Lighting Installation Agreement with Killmer Electric**
- G. Approve Amended and Restated Grounds Services Agreement with Hamel Athletic Club**
- H. Authorize Purchase of Police Forfeiture Vehicle for Parks Department**
- I. Approve Letter of Support for Hamel Fire Department Grant Application**
- J. Resolution No. 2018-09 Granting Lot Combination Approval to Westcreek Properties, LLC for Property at 900 and 920 Hamel Road**
- K. Resolution No. 2018-10 Granting Site Plan Review Approval to Maxxon for Property at 920 Hamel Road**

- L. **Approve Proof of Parking Agreement and Declaration of Restrictive Covenant by and between the City of Medina and Westcreek Properties, LLC**
- M. **Approve Stormwater Improvement and Maintenance Agreement by and between the City of Medina and Westcreek Properties, LLC**
- N. **Approve Upland Buffer Easement Agreement by and between the City of Medina and Westcreek Properties, LLC**

Martin commented that the draftsmanship of the City Attorney on items J-N was remarkable.

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

VI. COMMENTS (7:06 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer reported that the Park Commission will meet the following night to discuss park improvement funding and partnerships. He noted that the Commission will also discuss a baseball mound at Hunter Lions Park, which would be funded by the baseball association. He noted that one item was pulled from the Park Commission Agenda, a request for a storage building.

C. Planning Commission

Planning Commissioner Nester reported that the Commission met the previous week to consider an ordinance amendment related to residential zoning districts (R-1, R-2, and R-3) and advised that the Commission recommended approval. She noted additional discussion items which included the rear yard setback for properties adjacent to parkland, backyard trees, and side yard setback for single-family homes.

VII. PRESENTATIONS

A. Resolution No. 2018-11 Recognizing Erin Barnhart for Ten Years of Service to the City of Medina (7:09 p.m.)

Mitchell read aloud the resolution recognizing Erin Barnhart for ten years of service to the City of Medina.

Martin stated that it has been an absolute pleasure to work with Barnhart and thanked her for her service to the City.

Mitchell agreed that Barnhart does an excellent job of generating the needed data and with great customer service.

*Moved by Martin, seconded by Anderson, to approve resolution no. 2018-11 recognizing Erin Barnhart for Ten Years of Service. **Motion passed unanimously.***

Johnson noted that Barnhart is an excellent example of an employee that has continued to grow and rise in position and does a great job for the City.

B. Orono School's Activity Center Update – School Board Member Martha Van de Ven (7:13 p.m.)

School Board Member Martha Van de Ven stated that she is pleased to provide an update on the Orono indoor activities center, which was approved by the community in November 2016. She stated that the activity center had been a thought since 1995 and finally came to fruition with the voter approval in November 2016. She stated that the District then created a core planning group with members of the community ranging from youth to senior citizens. She noted that several user groups were also contacted for input. She stated that this activity center will be open to the community during the school day and will also be open after the school day for extra-curricular activities. She noted that there will be free memberships for seniors. She presented the campus plan and identified the different elements.

Mitchell thanked Ms. Van de Ven for the perseverance of the School District to gain the support of the voters on this project.

VIII. NEW BUSINESS

A. School Lake Nature Preserve – Final Plat and Development Agreement (7:27 p.m.)

Finke stated that this is the final plat review for the School Lake Nature Preserve subdivision, noting that preliminary plat was approved earlier this past fall. He explained that the purpose of final plat is to ensure compliance with the preliminary plat and the conditions that were reviewed. He noted that there were no substantial changes but identified some minor changes that had been made. He noted that adjustments were made to three of the lots which included taking wooded areas out of the lots and adding those into conservation areas, among other slight adjustments. He stated that the conditions are then formalized into the Development Agreement. He referenced the trail head, noting that the applicant is looking for alternatives to providing access. He noted that there appears to be an opportunity from the shared driveway off Parkview, if other alternatives are not found. He noted that the details of those options for the trail head are included in the Development Agreement. He stated that also before the Council tonight is the establishment of a storm sewer tax district, which is a normal process for residential developments. He explained that this allows the City to contract for necessary maintenance and then levy the amount back to the property owners, should the homeowners' association not conduct the necessary maintenance.

Anderson asked for the approximate location off Parkview for the potential trailhead.

Finke replied that potential access would be off the shared driveway.

Cousineau asked if there would be a homeowners' association.

Finke stated that there will be an associations of home owners that will coordinate the activities of the group, predominantly for the maintenance of the conservation areas which will be overseen by the Minnehaha Creek Watershed District.

Martin stated that staff did an excellent job outlining the information in the staff memorandum on these very technical items.

1. **Resolution No. 2018-12 Granting Final Plat Approval for School Lake Nature Preserve**

Moved by Martin, seconded by Pederson, to adopt Resolution No. 2018-12 Granting Final Plat Approval for School Lake Nature Preserve. **Motion passed 4-1 (Mitchell opposed).**

2. **CD-PUD Agreement by and between the City of Medina and Wallace and Bridget Marx**

Moved by Martin, seconded by Pederson, to Adopt CD-PUD Agreement by and between the City of Medina and Wallace and Bridget Marx. **Motion passed 4-1 (Mitchell opposed).**

B. **Ordinance No. 630 Establishing the School Lake Nature Preserve Storm Sewer Improvement Tax District – Public Hearing (7:37 p.m.)**

Mitchell opened the public hearing at 7:37 p.m.

No comments made.

Moved by Anderson, seconded by Cousineau, to close the public hearing at 7:37 p.m. **Motion passed unanimously.**

Moved by Martin, seconded by Anderson, to adopt Ordinance No. 630 Establishing the School Lake Nature Preserve Storm Sewer Improvement Tax District. **Motion passed unanimously.**

1. **Resolution No. 2018-13 Authorizing Publication of Ordinance No. 630 by Title and Summary**

Moved by Martin, seconded by Anderson, to adopt Resolution No. 2018-13 Authorizing Publication of Ordinance No. 630 by Title and Summary. **Motion passed unanimously.**

Mitchell explained that he is still concerned with the 200 percent density bonus, noting that he would have preferred five lots rather than six lots. He stated that he was concerned with the quality of the conservation areas. He stated that he better understands the reasons and countervailing arguments that the other Council members have made. He stated that his opposing vote is consistent with the vote he made in the fall and noted that he just is not at the same point as the other Council members in terms of the conservation design subdivision.

Martin commended the participation of the watershed district as well.

C. **Hennepin County Bikeway Participation Program Grant – County Road 101 Trail Connection (7:40 p.m.)**

Finke noted that once staff goes through the process further, it may not be in the best interest of the City to apply for the grant as the work needed for the grant may not justify the grant funding that would be available. He stated that this support would allow the City to apply for the grant, should staff see a benefit.

Pederson asked for additional details.

Finke replied with the maximum slope that is desired for ADA compliance under the grant and what is allowed to meet compliance outside of the grant. He confirmed that staff would only go forward with the grant application, if it would make sense to do so.

1. Resolution No. 2018-14 Supporting Grant Application for Hennepin County Bikeways Participation Program for County Road 101 Trail Connection

*Moved by Martin, seconded by Cousineau, to adopt Resolution No. 2018-14 supporting the grant application for the Hennepin County Bikeway Participation Program. **Motion passed unanimously.***

IX. CITY ADMINISTRATOR REPORT (7:46 p.m.)

A. Mayor Mitchell's Letter to PERA

Johnson stated that Mayor Mitchell drafted a letter to PERA outlining concerns.

Mitchell noted that the Council discussed this item the previous fall. He noted that the PERA funds are underfunded and PERA gives the impression that there is more in the "pot" than there really is. He also discussed the difference between defined benefit plans compared to defined contribution plans.

Martin stated that she agrees with challenging the board on the concerns but noted that she perhaps would have worded the letter differently. She suggested using less aggressive language.

Mitchell agreed that the language could be amended and brought back to the next Council meeting. He stated that he does not mind softening the language.

Pederson stated that he agrees that the changes should not affect existing employees. He noted that he also agrees that the PERA system cannot go on in its current system.

Cousineau asked if Mitchell would consider copying another body that may be tuned into the issue outside of PERA.

Johnson confirmed that he would work with the Council members to make the suggested changes and could then send out the letter. He confirmed the consensus of the Council that the item will not need to come back before the Council again for approval.

X. MAYOR & CITY COUNCIL REPORTS (7:56 p.m.)

No comments.

XI. APPROVAL TO PAY THE BILLS (7:56 p.m.)

*Moved by Anderson, seconded by Cousineau, to approve the bills, EFT 004498E-004511E for \$46,332.32 and order check numbers 046929-046978 for \$151,349.50 and payroll EFT 0508451-0508482 for \$52,570.85. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Anderson, seconded by Cousineau, to adjourn the meeting at 7:56 p.m. **Motion passed unanimously.***

Bob Mitchell, Mayor

Attest:

Jodi M. Gallup, City Clerk