

MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 19, 2019

The City Council of Medina, Minnesota met in regular session on March 19, 2019 at 7:00 p.m. in the City Hall Chambers. Mayor Martin presided.

I. ROLL CALL

Members present: Albers, Anderson, DesLauriers, and Martin.

Members absent: Pederson.

Also present: City Administrator Scott Johnson, City Attorney Ron Batty, City Engineer Jim Stremel, City Planning Director 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 (7:00 p.m.)

A. Approval of the March 5, 2019 Regular City Council Meeting Minutes

Martin noted that comments from herself and DesLauriers have been distributed for incorporation.

*Moved by DesLauriers, seconded by Albers, to approve the March 5, 2019 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:01 p.m.)

A. Approve 2019 Road Material and Equipment Bids

B. Approve Street Sweeping Services Agreement with Carefree Services Inc.

C. Appoint Public Works Foreman

D. Approve Public Works Maintenance Technician Job Description and Authorize Recruitment

E. Approve Planning/GIS Intern Job Description and Authorize Recruitment and Appointment

F. Schedule Second Board of Appeal and Equalization Meeting for April 16th at 5:30 p.m.

G. Approve Agreement with Kennedy and Graven

H. Approve Sanitary Sewer Connection Agreement with Three Rivers Park District

I. Approve Canadian Pacific Railway Agreement with Proposed Grade Crossing Extension

J. Resolution No. 2019-16 Granting Conditional Use Permit Approval to Scott and Chantelle Theisen for Accessory Structures in Excess of 5,000 Square Feet at 3325 County Road 24

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

VI. COMMENTS (7:02 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 possible improvements with an Independence Beach neighborhood group and will also discuss 2019 goals and updates to the trail plan.

C. Planning Commission

Planning Commissioner Williams reported that the Planning Commission met the previous week to discuss a request for an amended Conservation Design PUD from Wally and Bridget Marx, noting that the adjustment provides a larger wetland buffer and was recommended for approval. She stated that the Commission also considered a request from Maxxon for its addition and noted that was also recommended for approval. She stated that the Commission reviewed a request from OSI which will lower the height of its addition and that was recommended for approval as well. She noted that the Commission also considered a rezoning of five properties from Rural Business Holding (RBH) to Rural Residential Urban Reserve (RR-UR). She stated that the Commission recommended leaving two parcels as RBH and rezoning the other three parcels to RR-UR.

DesLauriers asked why OSI is reducing the building height.

Finke stated that largely the change was due to cost. He noted that the initial building footprint was also reduced with the ability to expand further in the future.

VII. NEW BUSINESS

A. Police Policy 2042: Portable Audio/Video Recorders – Public Hearing (7:07 p.m.)

Johnson stated that the City is required to hold a public hearing for implementation of weapon cameras, body cameras, and portable recording devices.

Belland stated that this is part of the State Statute in reference to body cameras and portable recording devices. He stated that the department constructed the policy using other policies that have been developed by organizations that have successfully implemented body cameras. He stated that the weapon cameras will enhance the squad cameras and will catch the most dangerous activity the officers face. He stated that the equipment has been tested for the past four months and the sound and picture are crisp and clear. He stated that there is also a low cost to retain the video data. He noted that the footage would be stored for a minimum of 90 days following an incident and if there is a case that footage would be stored longer.

Martin commented that the policy reads well.

Anderson asked who would constitute non-sworn personnel that would use this policy.

Belland stated that it would most likely not apply to non-sworn officers. He noted that on occasion a non-sworn officer would have a shotgun for use with animals. He stated that

the decision has not yet been made on whether to use the weapon cameras for long guns.

Albers noted that there appears to be an upfront cost of \$6,700 and asked the long-term maintenance cost.

Belland stated that as of yet he has not discovered a long-term maintenance cost. He noted that the data would be stored on the police server and therefore would not have an additional cost. He stated that perhaps additional holsters would need to be purchased for some officers.

Albers asked the life expectancy of the cameras.

Belland replied that he believes the lifespan of the cameras to be about five years.

Matthew Plowman, Viridian Technologies, stated that the items are warranted for two years but typically have a seven-year lifespan.

Kevin Skalicky, Sales Manager for Viridian, stated that the product has been on the market for about 1.5 years with law enforcement and they have not seen any major repairs needed.

Anderson asked if these weapon cameras would continue to be used once body cameras are implemented.

Belland explained that the weapon cameras will continue to be important because they are catching the important footage of an incident and therefore even if body cameras are used, the weapon cameras would continue to be used. He stated that the department continues to work with Hennepin County to find an economic solution and vendor for body camera technology.

Martin opened the public hearing at 7:16 p.m.

No comments made.

Martin closed the public hearing at 7:16 p.m.

*Moved by DesLauriers, seconded by Albers, to Adopt Police Policy 2042: Portable Audio/Video Recorders. **Motion passed unanimously.***

B. Maxxon – 920 Hamel Road – Variance and Site Plan Review – Public Hearing (7:16 p.m.)

Johnson stated that staff intended to present this item at the March 19th City Council meeting and announced that the City Council, in its role as the Board of Adjustments and Appeals, would hold a public hearing at the March 19th meeting. The applicant contacted staff and requested a delay in the review. The applicant indicated that they are reviewing additional small adjustments to the plans; potentially adding an additional four feet to the building and removing additional hardcover elsewhere.

*Moved by Albers, seconded by DesLauriers, to table the public hearing to April 16, 2019. **Motion passed unanimously.***

C. Wally and Bridget Marx – 2800 Parkview Drive – Amended Conservation Design Subdivision PUD General Plan and Preliminary Plat (7:17 p.m.)

Finke stated that background information was included in the staff report on the PUD which was approved in 2017, with the plat for the six lot CD-PUD being approved in 2018. He stated that the applicant is looking to adjust one of the lots, pivoting the lot about 50 feet closer to School Lake. He stated that there is a 200-foot setback from School Lake. He stated that this will add a wooded portion to the conservation area and the 200-foot setback from School Lake will overlay a portion of the buildable lot. He stated that the Planning Commission recommended approval of the amendment with the conditions noted in the staff report.

Albers stated that he attended the Planning Commission meeting and all his questions were answered.

DesLauriers asked how the setback from water is measured.

Finke explained that for a shoreland overlay setback, the line is measured from the ordinary high-water mark in a straight line out. He noted that a portion of the lot would fall within the setback and therefore no building would be allowed within the setback area.

Anderson asked if there is an increase in the lot size.

Finke replied that there would not be an increase in the lot size, noting that one-half acre would be swapped from the lot and one-half acre would be swapped from the conservation area. He noted that it is an odd shaped lot because of the location of the driveway and septic site.

*Moved by DesLauriers, seconded by Anderson, to direct staff to prepare documents approving the amendment to the CD-PUD and preliminary plat, subject to conditions.
Motion passed unanimously.*

Wally Marx stated that he and his wife moved to Medina in 1998. He stated that on Sunday, the *Star Tribune* published an article on the Long Lake Creek Watershed and funding received by the Minnehaha Creek Watershed District. He noted that School Lake was included on the list of lakes that would be eligible for that funding. He stated that he purchased his parcel from a farmer that had farmed the land for over 44 years and cared for many pigs on the land. He stated that the water in the lake was brown when he and his wife purchased the property. He stated that he and his wife worked hard over the years to clean up the property and restore the lakeshore and prairie to improve the land. He stated that they hope the other neighbors around School Lake will do similar actions to protect and improve the lake.

VIII. CITY ADMINISTRATOR REPORT (7:29 p.m.)

Johnson highlighted the excellent work that has been done by the Public Works Department in the past month, transitioning from heavy snow to storm water management in a quick period of time.

Martin echoed those comments on behalf of the Council.

IX. MAYOR & CITY COUNCIL REPORTS (7:30 p.m.)

Martin stated that she spoke with a business owner that is perhaps looking to locate his business in Medina but was looking for financial assistance. She noted that staff provided the business owner with other potential funding resources. She stated that the Hamel open house meetings have been concluded and commended staff and the students.

Finke stated that the students are putting together an analysis of the feedback received. He noted that a survey will be placed on the website in the near future as well.

Anderson reported that he attended the mayors' dinner last week and heard a presentation from the Hennepin County Assessor. He noted that he forwarded the information that he received to staff.

X. APPROVAL TO PAY THE BILLS (7:33 p.m.)

*Moved by Anderson, seconded by Martin, to approve the bills, EFT 005000E-005019E for \$70,807.43 and order check numbers 048555-048598 for \$117,078.01 and payroll EFT 0509286-0509317 for \$56,512.69. **Motion passed unanimously.***

XI. ADJOURN

*Moved by Anderson, seconded by Martin, to adjourn the meeting at 7:34 p.m. **Motion passed unanimously.***

Kathy Martin, Mayor

Attest:

Jodi M. Gallup, City Clerk