

MEDINA CITY COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2019

The City Council of Medina, Minnesota met in regular session on September 17, 2019 at 7:00 p.m. in the City Hall Chambers. Mayor Martin presided.

I. ROLL CALL

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

Members absent: None.

Also present: City Administrator Scott Johnson, Assistant City Administrator Jodi Gallup, 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 (7:01 p.m.)

A. Approval of the September 3, 2019 Special City Council Meeting Minutes

Martin stated that she submitted proposed changes to be incorporated.

*Moved by Anderson, seconded by Albers, to approve the September 3, 2019 special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the September 3, 2019 Regular City Council Meeting Minutes

Martin noted that she and Anderson submitted proposed changes to be incorporated.

*Moved by Anderson, seconded by Albers, to approve the September 3, 2019 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA (7:02 p.m.)

A. Authorize to Begin Recruitment for Police Officer Position

B. Approve Postage Meter Lease Agreement with Great America Financial Services Corporation and Postage Meter Equipment Maintenance Agreement with American Mailing Machines

C. Approve Managed Services Agreement with Tegrete

D. Ordinance No. 650 Regarding Residential Setbacks and Encroachments; Amending Chapter 8 of the City Code

E. Resolution No. 2019-55 Authorizing Publication of Ordinance Regarding Residential Setbacks and Encroachments by Title and Summary

F. Resolution No. 2019-56 Granting Approval of a Conditional Use Permit to Tim and Megan Elam for Five Accessory Structures at 1582 Homestead Trail

G. Resolution No. 2019-57 Granting Conditional Use Permit and Variance to Tim and Megan Elam for an Accessory Dwelling Unit at 1582 Homestead Trail

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

VI. COMMENTS (7:03 p.m.)

A. Comments from Citizens on Items not on the Agenda

Conrad Miller, 2475 Holy Name Drive, stated that there is a problem with the field tile that was installed many years ago. He explained that when his neighbor's sump pump kicks on it empties into the catch basin on his property. He stated that the neighbor had a contractor complete work the previous year and now the water is not draining down to the lake. He asked if the City could assist in this situation because the City permitted the neighbor to complete the activity with his contractor. He stated that he has attempted to work with the neighbor.

Johnson commented that Finke and Scherer have been working on this matter.

Scherer stated that he believed that the neighbors to the south of Mr. Miller were also having drainage problems. He stated that the water does empty to the catch basin on Holy Name but was unsure where the water goes from that point. He stated that the neighbors had standing water in their yard and wanted to repair the tile. He was unsure of the permitting process or the work that was done but noted that those neighbors did not appear to have water in their yard now. He confirmed that the City's portion of the drainage system is functioning.

Martin commented that this seems to be a private matter and if resolution cannot be reached between the two parties, Mr. Miller should perhaps consult legal counsel to determine if there would be other rights that could be pursued. She commented that there would not be much that the Council could do as there is not an ordinance that would regulate that type of activity.

B. Park Commission

Scherer reported that the Park Commission will meet the following night to hear a proposal from the Hamel Athletic Club to convert a quad four baseball field to a regulation little league field. He stated that the Association has a growing youth population and the City attempts to work together with the Association in order to fully utilize the park and meet demands.

C. Planning Commission

Finke reported that the Planning Commission did not meet in September because of a lack of items to consider but noted that there are applications in the works that would most likely be considered at the October meeting.

VII. PRESENTATIONS

A. Resolution No. 2019-58 Recognizing Fidel (Dell) Theis for 45 Years of Dedicated Service to the Hamel Volunteer Fire Department as he Retires (7:15 p.m.)

Moved by Anderson, seconded by DesLauriers, to Adopt Resolution No. 2019-58 Recognizing Fidel (Dell) Theis for 45 Years of Dedicated Service to the Hamel Volunteer Fire Department as he Retires. Motion passed unanimously.

Martin read aloud the resolution recognizing Dell Theis for his 45 years of dedicated service to the Hamel Volunteer Fire Department. She presented the resolution to Dell Theis, thanked him for his service to the community, and wished him well in his retirement.

VIII. NEW BUSINESS

A. Sonja and Chris Graham – Lot Combination – 4072 Hamel Road (7:19 p.m.)

Finke presented a request to combine two lots located along Hamel Road. He stated that these are substandard lots and although the combination would not bring them into compliance, they would be closer to compliance. He stated that generally the City has supported these types of combinations in order to increase buildability and bring the lots closer to compliance. He recommended approval of the lot combination and adoption of the resolution, noting a correction in the title of the resolution to add “Block 1”.

1. Resolution No. 2019-59 Approving a Lot Combination of Lots 1 and 2, Block 1, Boyer Acres

Moved by Anderson, seconded by Albers, to Adopt Resolution No. 2019-59 Approving a Lot Combination of Lots 1 and 2, Block 1, Boyer Acres.

Further discussion: Pederson stated that before the combination there would be two unbuildable lots and this combination would then create a buildable lot. He asked if this is how the activity typically occurs.

Finke replied that the City never reviewed or had reason to review whether the lots were independently buildable. He stated that even if a lot is substandard, the zoning code would allow that to be buildable under certain circumstances.

Motion passed unanimously.

B. Willow/Highway 55 Regional Lift Station Project (7:23 p.m.)

Johnson stated that this project has been included in the Capital Improvement Plan based on the proposed development within the 2040 Comprehensive Plan, noting that Adams Pest Control is a driving force in this project. He stated that the next step would be for the Council to authorize the preparation of a feasibility report, should the Adams Pest Control project continue to move forward.

Martin asked if the approval would be contingent upon Adams Pest Control coming forward with a more concrete development proposal.

Johnson confirmed that to be true.

Anderson stated that he did not see that caveat listed in the case.

Johnson confirmed that the language is included in the proposed action and noted that additional specification from the City Council could be included with the motion.

Stremel displayed a map, noting that the proposal has been split into two phases: feasibility and then design. He stated that the City would want to be in the position to move forward, should that be needed. He stated that in having the feasibility report prepared, that would allow the City to move forward in the spring when the bidding

climate would be ideal. He explained the regional elements of the project and the phasing that could occur in order to support present day needs as well as future needs. He provided additional details on the different piping that currently exists and is shown on the map, noting that it is yet to be determined on which areas would be served by the lift station and which by gravity sewer. He explained that the feasibility report would identify the areas that would be served by the lift station.

Finke explained that it is the intention of staff to complete the feasibility report regardless of the progress of the developments within the project area as the report will provide information to the City to better plan for future development and infrastructure. He confirmed that there are available funds in the sewer fund.

Stremel stated that the lift station location would be identified in the feasibility report as well, to help provide cost information for future budgeting purposes.

Pederson asked if there is one business in that area that currently uses a mound system and asked if that business would be asked to connect to this service.

Finke stated that there are no ordinances in place at this time that would mandate connection of that property. He stated that the proposed action tonight would simply be to move forward with the scope related to the lift station.

DesLauriers asked the cost of the feasibility report.

Stremel provided clarification, noting that the feasibility report would move forward first and would be brought back to the Council for review later this year when the decision could be made whether to move forward on the design. He recommended that the soil borings and geotechnical analysis occur in conjunction with the feasibility report.

Anderson asked if the Council is committing to the entire amount by committing to the feasibility report.

Johnson explained that this requested action would only be for the feasibility report and geotechnical analysis. He noted that the Council can then decide in the future whether to move forward with the design stage.

Anderson referenced a previous discussion related to Adams Pest Control. He asked if the Council wants to move forward on this as it is not yet known if that project will move forward.

Scherer explained that the feasibility report is a planning tool that can continue to be used by the City.

Anderson asked if Johnson should approach Adams Pest Control to let them know that the City is moving forward with this.

Johnson stated that the business owner is aware that the City is taking this step.

*Moved by Anderson, seconded by Albers, to consider the proposal from WSB for engineering services and authorize preparation of feasibility report, soil borings and geotechnical analysis contingent upon staff direction. **Motion passed unanimously.***

C. Public Safety Director Succession Planning (7:36 p.m.)

Johnson stated that he received a letter from Belland dated September 12th notifying the City of his impending retirement on March 31, 2020.

Gallup reviewed the proposed timeline for the Public Safety Director succession plan which would begin with an internal posting. She asked the Council to adopt the resolution accepting Belland's retirement letter, direct staff to begin the recruitment process, and approve the Public Safety Director job description.

Pederson commended staff for the excellent layout of this plan.

Albers referenced the proposed interview panel, noting that while he understands the intent of everyone to hear the same message, it is sometimes good to have multiple interview sessions. He asked if the Council would be interested in splitting those interview sessions into two, one composed of the Council and the other of City staff.

Martin stated that she would like to hear what happens in the second session with City staff and noted that perhaps a member of the Council could sit in on that session.

Johnson noted that typically the panels would be interviewing different candidates at the same time.

Martin asked if the City has a scoresheet that would be used.

Johnson confirmed the City has a scoresheet that would be used for the process.

Martin stated that perhaps that scoresheet could be reviewed prior to the interviews.

DesLauriers stated that he would agree with two panels.

Albers asked how long the interviews would be.

Johnson replied that typically an interview for this position would run about an hour.

DesLauriers stated that an hour may not be enough time.

Anderson stated that perhaps if the interview session is going to be 90 or 120 minutes, then perhaps only one interview be done per day to ensure that the panel remains fresh. He stated that while he does sympathize with the thought of having two panels, he also appreciates the ability for Council to be included on both panels. He stated that perhaps the panels be mixed with City staff and Council.

Pederson stated that he also likes the idea of splitting the panels.

Johnson noted that the interviews would need to be noticed as a public meeting if a majority of the City Council attends, even if Councilmembers are just listening.

Batty noted that the details for calling a public meeting can be worked out once the preferable option is decided upon.

Albers stated that he also likes the idea of splitting the panels into two with Council members on each panel as there would be a different perspective from two different groups.

Anderson agreed that the Council could come back together after the interviews to hold follow-up discussions.

Pederson asked how Johnson was interviewed.

Johnson replied that he met with Council panels and also a staff panel.

Anderson asked if there would be one round of interviews or a series of interviews leading to the panel.

Johnson stated that it would be dependent on the number of applicants.

DesLauriers stated that the way the job description is written it would appear only one internal candidate would be qualified.

Johnson noted that the job description would open up the possibility for more internal candidates.

Gallup reviewed the minimum qualifications that would be necessary.

DesLauriers asked how many internal candidates would then be considered qualified, given the requirements.

Belland estimated that about four or five internal candidates would meet those requirements.

1. Resolution No. 2019-60 Accepting Ed Belland's Resignation

*Moved by Martin, seconded by Anderson, to Adopt Resolution No. 2019-60 Accepting Ed Belland's Resignation. **Motion passed unanimously.***

*Moved by Anderson, seconded by Pederson, to direct staff to begin recruitment process and appointing Albers and DesLauriers to work with staff on the process. **Motion passed unanimously.***

Anderson stated this if there were changes that Albers and DesLauriers recommended in the interview process with staff that a further amendment could be made if needed.

Johnson confirmed that additional amendment could be made, if recommended by Albers and DesLauriers, and could be brought back to the Council.

*Moved by Anderson, seconded by Pederson, to approve Public Safety Director job description. **Motion passed unanimously.***

Albers noted that he will be out of the country this weekend for a work obligation and will not be back until October 4th.

Gallup commented that the application deadline would be October 9th and therefore that would not be an issue.

IX. CITY ADMINISTRATOR REPORT (7:53 p.m.)

Johnson stated that staff is requesting to hold the business tours on November 5th and asked if that date would work for the majority of the Council. He stated the regular Council meeting for that week would be held on November 6th rather than November 5th.

DesLauriers and Martin commented that they would most likely would not be able to attend at that time.

Johnson confirmed that businesses have not yet been lined up. He noted that after that date, travel plans for the holidays begin to interfere with possible dates.

It was noted that Martin and DesLauriers would most likely be able to attend in the afternoon. The business tour was scheduled for November 5th at 1:00 p.m.

Johnson stated that staff is proposing to hold the open house for the Arrowhead/Chippewa corridor study at the worksession on October 15th. He asked for the Council to call for the worksession to start at 5:00 p.m. rather than 6:00 p.m. on that date.

*Moved by Martin, seconded by Albers, to call for a special meeting on October 15, 2019 at 5:00 p.m. **Motion passed unanimously.***

Belland provided an update on recent break-ins in the Cherry Hill neighborhood. He stated that there were a couple of break-ins over the weekend in that area but did not believe that those incidents were connected to the previous burglary ring activity earlier this summer. Residents were reminded to lock their vehicles and homes.

X. MAYOR & CITY COUNCIL REPORTS (7:58 p.m.)

Anderson noted that he attended the Northwest Hennepin County Mayors dinner the previous week, noting that the group is now up to 14 cities attending.

Pederson commented that he attended the Loretto Fun Days, which was a fun event with great fireworks.

Martin commented that she DesLauriers, Belland, Barnhart and Johnson attended the Hamel Fire Department Transition Study meeting the previous week.

DesLauriers stated that he believed the meeting provided full disclosure and was a good start.

XI. APPROVAL TO PAY THE BILLS (8:01 p.m.)

*Moved by Anderson, seconded by Pederson, to approve the bills, EFT 005218E-005238E for \$61,924.72 and order check numbers 049263-049333 for \$413,451.33 and payroll EFT 0509682-0509713 for \$53,599.93. **Motion passed unanimously.***

XII. ADJOURN

Moved by Anderson, seconded by DesLauriers, to adjourn the meeting at 8:02 p.m.

Motion passed unanimously.

Kathleen Martin, Mayor

Attest:

Jodi M. Gallup, City Clerk