

**MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 21, 2020**

The City Council of Medina, Minnesota met in regular session on April 21, 2020 at 7:00 p.m. in the City Hall Chambers. Mayor Martin presided.

Mayor Martin read aloud a statement related to the COVID-19 situation and reported that this meeting is being conducted by telephonic means.

**I. ROLL CALL**

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

**Members absent:** None.

**Also present:** City Administrator Scott Johnson, City Attorney Ron Batty, Finance Director Erin Barnhart, City Engineer Jim Stremel, City Planning Director Dusty Finke, Public Works Director Steve Scherer, and Chief of Police Jason Nelson.

**II. PLEDGE OF ALLEGIANCE (7:10 p.m.)**

**III. ADDITIONS TO THE AGENDA (7:10 p.m.)**

The agenda was approved as presented.

**IV. APPROVAL OF MINUTES (7:10 p.m.)**

**A. Approval of the April 7, 2020 Regular City Council Meeting Minutes**

Martin noted that her proposed changes were circulated by staff for incorporation into the minutes.

*Moved by Anderson, seconded by Pederson, to approve the April 7, 2020 regular City Council meeting minutes as amended.*

*A roll call vote was performed:*

<i>Pederson</i>	<i>aye</i>
<i>Anderson</i>	<i>aye</i>
<i>DesLauriers</i>	<i>aye</i>
<i>Albers</i>	<i>aye</i>
<i>Martin</i>	<i>aye</i>

***Motion passed unanimously.***

**B. Approval of the April 8, 2020 Local Board of Review Meeting Minutes**

Martin noted that proposed changes from herself were circulated by staff for incorporation into the minutes.

*Moved by Anderson, seconded by Pederson, to approve the April 8, 2020 Local Board of Review meeting minutes as amended.*

*A roll call vote was performed:*

Pederson aye  
Anderson aye  
DesLauriers aye  
Albers aye  
Martin aye

***Motion passed unanimously.***

**V. CONSENT AGENDA (7:12 p.m.)**

**A. Resolution No. 2020-24 Accepting Donation from William and Thelma Bryson**

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

*A roll call vote was performed:*

Pederson aye  
Anderson aye  
DesLauriers aye  
Albers aye  
Martin aye

***Motion passed unanimously.***

**VI. COMMENTS (7:13 p.m.)**

**A. Comments from Citizens on Items not on the Agenda**

There were none.

**B. Park Commission**

Scherer reported that the Commission met the previous week and canceled the parks tour. He noted that individual Commissioners will visit specific parks and take notes to discuss virtually at the next meeting. He stated that the Commission also reviewed the park elements of the Lennar Concept Plan, with a fair amount of discussion related to the greenspace and trail corridor. He stated that staff is discussing whether the trail could be a public amenity without the City having to maintain that element.

**C. Planning Commission**

Planning Commissioner Galzki reported that the Commission met the previous week to hold two public hearings. He stated that the Commission recommended approval of a CUP that would allow construction of an accessory building in excess of 5,000 square feet for a riding arena, barn and staging area. He stated that there was one comment of support from the public. He stated that the Commission also reviewed the PUD Concept Plan from Lennar, noting that the Commission and members of the public provided input and questions to Lennar. He stated that the main items of discussion were traffic, landscape screening along Meander Road, and the density. He stated that the Commission also expressed concern with the request related to reduced garage sizes. He stated that the Commission recommended that the developer hold an open house for the Fields of Medina residents in order to address comments. He stated that the Commission supported the request overall with direction that the density should be reduced.

## **VII. NEW BUSINESS**

### **A. Stormwater Pollution Prevention Plan (SWPPP) – Annual Public Hearing (7:21 p.m.)**

Scherer highlighted improvement projects the City completed the previous year along with projects anticipated for the future. He also highlighted proposed changes to the MS4 permit that will need to occur going forward related to performance measured standards including chloride and pet waste. He stated that there is a proposal to increase the permit fee and the Stormwater Coalition will speak on behalf of the member cities. He provided details on the City's minimum control measures including public outreach and education, public participation, illicit discharge detection and elimination, management of construction site runoff, management of post construction site runoff, and pollution prevention/good housekeeping.

Pederson commended staff for the great projects that have recently been completed and the amount of phosphorus that will be reduced. He asked if the City would hold a clean-up day event this year.

Scherer thanked Stremel for assisting the City in the design of the pond and Johnson for his participation in the gully project. He stated that many residents have been collecting junk over the past few months and hoped that the City could hold the clean-up day event in some manner in the future. He noted that he did cancel most of the tree order, advising that he will still plant the Hickory Drive trees as planned.

Johnson confirmed that clean-up day has been postponed for the time being with the hope that it could occur on a future date.

Anderson thanked Scherer for the presentation and great work.

DesLauriers echoed the thanks of the previous Council members. He also commented on the great Hickory Drive project noting that area is much improved.

Albers thanked Scherer for his presentation and work accomplished. He stated that he looks forward to what 2020 can bring in terms of stormwater improvements.

Scherer stated that this Council and the previous Council has been very proactive and have found ways to get these projects completed. He noted that it takes a village to get these projects completed.

Martin echoed the previous comments. She stated that she was pleased to see the resident participation in one project and noted that perhaps staff could identify additional volunteer opportunities for different projects when they arise. She also commended Liz Weir for encouraging and educating the City on the importance of these issues and completing these incremental projects. She asked staff to think about what the most challenging stormwater issue might be facing the City in the next two years, noting that perhaps a worksession discussion could occur to plan steps and funding that may be necessary.

Martin opened the public hearing.

No comments made.

Martin closed the public hearing.

**B. US Home Corp (Lennar) – Meadow View Townhomes – Planned Unit Development (PUD) Concept Plan Review for Proposed 138-Unit Townhome Development at PID 11-118-23-12-0004 – North of Hwy 55, South of Meander Road, West of CR116 (7:48 p.m.)**

Finke presented a Planned Unit Development Concept Plan from Lennar which would propose a 138-unit townhome development. He provided an explanation of the PUD tool noting that the Planning Commission and City Council would decide whether or not to rezone to a PUD, which allows flexibility to the zoning requirements in return for providing other elements within the PUD Ordinance and/or goals of the City. He stated that the subject property is zoned medium density residential and is within the current staging period. He stated that the Fields of Medina property was split off of this parcel with a master plan to construct townhomes on this parcel. He displayed the proposed concept plan and provided details on the proposed access, privately maintained roads within the development, and green corridor and trail. He noted that the development would be a mix of rowhomes and quad homes. He noted that as proposed most of the development meets the requirements of the R-3 district. He identified areas where flexibility would be requested including front yard setback, reduced minimum garage size, and density. He explained that while R-3 allows for a density of five to seven units per acre, noting that there are specific design elements that must be incorporated to reach seven units per acre. He stated that the applicant proposes seven acres but would not specifically follow the requirements within code and instead falling under the PUD. He discussed infrastructure related to transportation and parks and trails. He noted that the Planning Commission held a public hearing the previous week and the comments were provided to the Council. He noted that many of the comments were related to a desire for screening and a concern with traffic.

Albers stated that he attended the Planning Commission the previous week and generally agree with what was requested by the Commission and residents. He stated that it would be important to have adequate screening and would agree to shifting the greenspace towards the road to increase screening. He stated that he also agrees with the comments made related to color and stressed the importance of diversity. He asked if there would be a benefit to complete this project and the Tamarack improvements in tandem.

Finke stated that staff saw the likelihood that there could be five separate projects in the Tamarack Drive corridor and that is the reason for the study. He stated that the expectation would be that Tamarack would be built out in pieces as the adjacent properties develop.

Paul Tibone, Lennar, stated that he is present to receive input from the Council and answer any questions.

Albers stated that one takeaway he got from the meeting the previous week was related to the color palette of the buildings, urging the developer to stay away from the tan family to make it more distinctive than neighboring developments in Plymouth. He referenced the back to back home loops south of Meander, noting that elimination of those would create more greenspace and provides another buffer.

Finke stated that the City has a high level of discretion for PUD requests. He stated that the property is guided for development of five to seven units per acre with this request coming in at seven units per acre. He explained that if the units were pushed back a few feet from the private drive and the garage size were at the minimum size of 400 square feet, the applicant would be at 6.25 units per acre and the flexibility would come under the PUD to reach seven units. He explained that a PUD allows for a more collaborative design process between the developer and the City.

DesLauriers referenced the buffer yard requirement of .2 opacity and asked if that is equal to 20 percent.

Finke confirmed that is what is meant to approximate.

DesLauriers noted that could be increased to address screening on Meander Road. He stated that he would be more comfortable around five units per acre rather than seven. He stated that garage size was just decreased to 400 square feet and would find it difficult to reduce that size further. He encouraged the developer to use the tool of neighborhood meetings. He asked for input related to affordable housing.

Finke stated that the developer is working with Hennepin Land Trust in attempt to make a few units affordable. He noted that if provided in the development, under standard zoning, that would push the developer to seven units per acre.

Tibone stated that he spoke with Hennepin Land Trust early in the process but did not have anything to report on a definite path forward. He noted that they are still exploring that option.

Anderson echoed the thoughts of the members of the Park and Planning Commissions. He noted that he would like to see more greenspace, the development moved south, removal of the loops, an increased berm and more trees along the south side of Meander, and a reduction of the number of units closer to 110. He echoed the comments of DesLauriers related to garage size.

Pederson agreed that if a PUD is going to be used, he would like the density to be closer to five units rather than seven units. He noted that he would like to see a berm and screening on the south side of Meander and would be curious as to the ratio of hardcover for the site. He stated that he would also want to see more than two designs of housing to increase the variety. He stated that he would also support the Park Commission in the desire to have the trail to the north, privately maintained but available for public use. He believed that turn lanes into the development would be needed on Meander to prevent backups and commented that the cost for the Tamarack Drive improvements should be determined as well.

Finke stated that the concept plan did not specifically mention the hardcover but noted that the developer is not requesting flexibility and therefore he would presume it would meet the R-3 standards.

Martin stated that she likes the interior corridor of greenspace but would add additional berm and greenspace to the north. She stated that they know what Lennar normally looks like in terms of a development, but the City would like to see additional variation

and a more interesting color palette. She noted that the development would impact traffic and therefore would agree that additional turn lanes would be helpful along with contribution to the Tamarack Drive improvements. She stated that she would not support a smaller garage size and would encourage neighborhood meetings among Lennar and surrounding neighbors. She stated that a pocket park or other neighborhood amenity would be desired. She stated that this development appears to be a bunch of rowhouses with no sense of community. She encouraged Lennar to review the standards for a PUD, as the City is looking for creativity in design and efficiencies in land use.

John Podvin, 1053 Jubert Trail, commented that he attended and spoke at the Planning Commission meeting the previous week. He reiterated the importance of the public forum between Lennar and the Fields of Medina residents, along with the importance of the Tamarack Drive improvements occurring along with this development. He thanked the Commissions and Council for their review of requests to ensure that the projects work for not just the developer but also the City and neighboring residents.

Andrea Brokaw, 1041 Jubert Trail, stated that her property backs to Meander and appreciated the comments of the Planning Commission. She stressed the need for buffering and for the greenspace to be moved to the north. She stated that with all the development to the north in Corcoran, she was concerned with how the traffic would be mitigated as Meander seems to be the only way to access the property and adjacent commercial property that will develop. She stated that she would be concerned with low income housing being included in the project related to resale value of adjacent property.

Martin read aloud an email received from Ryan Brokaw that will be a part of the record. She recognized that traffic is a concern in all areas of Medina, but especially north of Highway 55. She noted that the Council has and continues to, reach out to citizens to ask them for assistance in reaching out to regional representatives related to transportation.

Pederson referenced the mega church on 116 in Corcoran, noting that those services will be held on the weekend, which will not impact weekday commutes. He echoed the comments of Martin related to the lack of ability for the City to control the issue of traffic from neighboring communities and on County roads.

Andrea Brokaw clarified that her concern is not with 116, even though that will continue to be busy, but how traffic from the north could be minimized to mitigate the traffic that would take 116 to Meander to access the commercial properties.

Pederson stated that Medina would support a road from Hwy 55 to the north to access those commercial properties.

Finke confirmed that this area will be reviewed more broadly in the Tamarack Drive Study to justify the turn signal and connection to Highway 55 at Tamarack Drive. He stated that the whole idea for Tamarack Drive is to help minimize the impact on Meander.

Stremel reiterated that the study is reviewing those issue and he looks forward to providing the Council with an update when the study is completed.

Tibone stated that they will attempt to setup a digital neighborhood meeting to gather additional input. He stated that he took notes tonight, as he did for the Planning Commission and summarized the comments that seemed to be high priority including additional screening and a berm and the desire for architectural diversity. He asked for more information on the idea of architectural diversity and color palette.

Martin provided additional clarification. She stated that she does not prefer a beige development and prefers the white presentation. She stated that for her it is more a matter of architectural diversity and interest.

Tibone acknowledged that everyone has their own opinion and thought. He explained that the problem is that there are predetermined color packages and materials. He stated that architecture and aesthetics is subjective and therefore he was looking for more information.

Martin stated that she prefers an upscale aesthetic, whereas the pictures provided were not alluring or inviting and looked like a bunch of cubes of eight plex homes in a field.

DesLauriers commented that these are the exact same townhouses as the Enclave and therefore the developments would look identical.

Tibone confirmed the design to be the same as Lennar had success with that development and that model throughout the metro.

Martin stated that this design appears to be a bunch of boxes next to each other in a linear fashion. She stated that the Enclave is a smaller group of townhomes that back up to the park and have a neighborhood park.

Pederson stated that in the reading material there were only one or two designs and therefore he would find it helpful to have more variety in the designs.

Anderson agreed with both the comments of Pederson and Martin. He agreed that this is a big block of houses that are not terribly interesting and does not fit Medina's vision of maintaining an open, rural character with an emphasis on greenspace.

Albers agreed with the comments of Anderson. He stated that this is "too vanilla" and does not seem to fit. He commented that this would not seem to be appealing when driving by on Highway 55. He agreed that more variety would be helpful. He stated that Plymouth has a lot in terms of brown and beige developments and Medina does not want that type of development. He stated that during the Comprehensive Plan process the comment of residents echoed that they do not want Medina to become Plymouth.

Martin stated that the middle greenspace adds interest to the design but agrees that the northern portion needs greenspace.

Pederson stated that he would also be mindful of the impact that this development would have on the adjacent Fields of Medina and Villas of Medina property values.

Tibone referenced the issue of garage size and asked if the position of the Council is due to complaints related to garage size in the Enclave or from other residents. He

explained that this model is very popular across the metro and therefore he wanted more input from the Council that he can relay to his design team.

Martin stated that the ordinance was recently relaxed to 400 square feet and this would be a reduction to that size. She stated that there is concern in the community with vehicles, refuse containers, and bicycles being left outside rather than stored in the garage.

Tibone referenced the comment related to amenities or a clubhouse, or lack of those items. He stated that it was his understanding that the park facilities obligation has already been satisfied through the Fields of Medina. He noted that the greenspace component would be above the already satisfied obligations. He referenced the concern with the affordability and property values. He explained that those units would be sold at the market rate and asked if the concern is related to affordability or that they would not be upscale.

Martin stated that the Council has not discussed whether it desires affordable housing in this development, but the Comprehensive Plan speaks to an attempt to increase the number of affordable units in the community.

DesLauriers asked the market price range for this development.

Tibone replied that the development would begin in the low \$300,000s and would increase from there dependent on the finishes and items the buyer chooses. He stated that they are attempting to deliver a functional and practical housing opportunity for the community at a good value. He stated that if architectural redesign and additional amenities are desired, that would increase the price of the units. He stated that this model is popular in the market because it targets a younger, entry level type demographic and once those elements are changed, the price increases and could then decrease the ability for that target market to afford the product.

Pederson asked if the affordable component would be related to Section 42.

Finke stated that for this specific concept plan, the only reference to affordable housing was within the applicant's narrative and stated that the developer was in discussions with the Hennepin Land Trust to secure a small number of units for affordable housing. He provided details on the model used by Hennepin Land Trust.

**C. Diamond Lake Regional Trail Master Plan (9:07 p.m.)**

Johnson provided background on the Diamond Lake Regional Trail Master Plan, noting that Three Rivers Park District is requesting input from Medina.

Stephen Shurson, Three Rivers Park District, stated that the Park District manages its trail system throughout Hennepin County. He stated that the Park District is currently in the master planning process for the Diamond Lake Regional Trail, providing details on the trail that would travel through seven communities. He noted that currently they are receiving feedback on different segments of the trail to find one cohesive preferred route. He anticipated that the master plan would be completed in the next year and would be followed by cooperative agreements with each of the communities the trail would meander through. He noted that the Park District would then begin to acquire property rights for the 21 miles of trail, which would take many years. He provided details on the

cooperative agreement. He stated that the Park District has been working with its consultant to develop route alternatives and described the process thus far, noting that Medina staff has been a part of the process. He explained that they would like the Council to review the route alternates and provide input for a preliminary approval before going out for public engagement. He stated that following the public engagement process, the Park District will return to Park Commissions and City Councils to ask for support of the preferred route that is developed, and reviewed the additional steps that would be necessary before submission of the master plan to the Metropolitan Council. He stated that one of the goals of this project is to create a high scenic park experience through the trail system and reviewed the possible different trail segments.

Finke stated that while the Council can provide feedback, the intent is to provide all alternatives for the public engagement process.

Martin asked for input on the bike path component.

Shurson provided details on the bike path component, noting that the corridor could be 12 to 16 feet wide. He noted that there would be some constraints with wetlands and road conditions and some project elements could vary depending on the conditions in that area. He continued to review the alternate trail segment options.

Martin commented that she is very impressed with the thought process of this project. She commented that having an effective way for pedestrians to cross Highway 55 would be very important in Medina. She stated that she would like to see the trail run on a north/south corridor in the western portion of Medina. She stated that she would also want to ensure that residents in Medina have adequate access to the trail from their neighborhoods.

DesLauriers asked if this is consistent with the parks and trails master plan for Medina.

Scherer stated that Three Rivers Park District is attempting to incorporate some of the existing trails and explained that the vision is more of a natural trail, rather than the typical City trail. He explained that the desire is to stay away from development in more natural areas but noted that some of the existing trails will need to be incorporated in order to have the full connection. He commented that the north/south connection would be difficult in some areas with the Tamarack wetlands.

Shurson noted that the green lines represent the trails that came from the City's parks and trail plan. He commented that the Park District wants to make sure that this trail helps to support the City's trail network as well.

Anderson stated that the Park Commission members support the notion of attempting to pickup where the City has existing trails or has planned for future trails. He stated that may lend itself to the north/south corridor being on the eastern side of Medina in order to take advantage of the City's existing trails.

Shurson confirmed that the Holy Name Lake area was mentioned as an amenity and important part of the system. He stated that if there are areas of higher importance, the Park District would be happy to hear that input. He stated develop tends to happen east to west, therefore the further west the segment, the more time there would be to acquire

the properties and right-of-way needed for the trail. He again noted that the plan would still take about one year to complete and then acquisitions would begin.

Pederson stated that he likes the idea of connecting with the school on the Wessin property. He stated that it would be interesting to see how the trail could go over or under Highway 55 and asked who would finance that connection.

Shurson stated that it is too early to have studied that element. He noted that underpasses are generally less expensive than a bridge overpass. He stated that once the master plan is in place, Three Rivers Park District can partner with different entities on improvement projects that could incorporate the master plan elements with those construction plans. He stated that the Park District also competes for Federal funding when available.

Pederson asked who would pay for maintenance.

Shurson stated that extraordinary maintenance would be funded through the Park District, while the City could assist with winter maintenance. He explained that the plowing of trails in the winter is left up to the city, on whether they find that to be an amenity and whether it wants to complete that activity.

Albers thanked Shurson for the presentation. He noted that this is a very ambitious plan for the regional trail.

*Moved by DesLauriers, seconded by Albers, to approve, for the purpose of seeking public input, the draft route alternatives for the Diamond Lake Regional Trail Master Plan through Medina; approval of a preferred route shall be subject to review following public engagement.*

*A roll call vote was performed:*

<i>Pederson</i>	<i>aye</i>
<i>Anderson</i>	<i>aye</i>
<i>DesLauriers</i>	<i>aye</i>
<i>Albers</i>	<i>aye</i>
<i>Martin</i>	<i>aye</i>

***Motion passed unanimously.***

#### **VIII. CITY ADMINISTRATOR REPORT (9:49 p.m.)**

Johnson stated that Batty sent an update related to recently adopted legislation which allows restaurants with on-sale liquor licenses to sell alcohol with the purchase of takeout food. He stated that cities can opt out, but staff does not recommend that action.

Martin stated that she agrees that the City should not opt out.

Pederson, Anderson, DesLauriers, and Albers agreed that the City should do what it can to support local businesses.

#### **IX. MAYOR & CITY COUNCIL REPORTS (9:50 p.m.)**

Martin commented that she hopes staff, the Council and residents continue to do well in this challenging time.

Pederson stated that the Council may want to consider that the next meeting will be held in this manner as well because the Stay at Home Order may be extended past May 4<sup>th</sup>.

Martin stated that it would not appear that the Council would be prepared to hold its regular May 5<sup>th</sup> meeting in person. She stated that the City is doing well with social distancing and this method of conducting meetings seems to be working well for the time being.

Anderson agreed. He stated that if the Council decides to gather in person, he would suggest using the Hamel Community Building, which would allow the ability to truly spread out. He agreed that perhaps the May meetings continue to be held telephonically.

Albers agreed that the May 5<sup>th</sup> meeting should be held telephonically, and further direction will hopefully be gained when the Governor makes his next update related to the Stay at Home Order.

Batty provided input on the legal ability for cities to hold meetings electronically. He commented that the City would have some discretion as to when it would convert to another method of holding meetings.

Martin confirmed the consensus of the Council to hold the May 5<sup>th</sup> meeting virtually and possibly longer, dependent on the COVID-19 situation.

**X. APPROVAL TO PAY THE BILLS (10:01 p.m.)**

*Moved by Anderson, seconded by Pederson, to approve the bills, EFT 005470E-005489E for \$161,128.40, order check numbers 050124-050116 for \$208,464.47, and payroll EFT 0510171-0510197 for \$49,122.79 and payroll check 002444 for \$6,890.27.*

*A roll call vote was performed:*

*Pederson aye  
Anderson aye  
DesLauriers aye  
Albers aye  
Martin aye*

***Motion passed unanimously.***

**XI. ADJOURN**

*Moved by Anderson, seconded by Pederson, to adjourn the meeting at 10:02 p.m.*

*A roll call vote was performed:*

*Pederson aye  
Anderson aye  
DesLauriers aye  
Albers aye*

*Martin            aye*

***Motion passed unanimously.***

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Kathleen Martin, Mayor

Attest:

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Jodi M. Gallup, City Clerk