

MEDINA CITY COUNCIL MEETING MINUTES OF MAY 19, 2020

The City Council of Medina, Minnesota met in regular session on May 19, 2020 at 7:00 p.m. via technology based in the City Hall Chambers. Mayor Martin presided.

Martin stated that tonight's meeting, and future City meetings, will continue to be held in a virtual environment due to the COVID-19 pandemic and until related declarations of emergency expire. Details for participation in virtual meetings can be found on the City website or posted on the door of City Hall.

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, 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 (7:08 p.m.)

III. ADDITIONS TO THE AGENDA (7:09 p.m.)

The agenda was approved as presented.

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

A. Approval of the May 5, 2020 Regular City Council Meeting Minutes

*Moved by Martin, seconded by Anderson, to approve the May 5, 2020 regular City Council meeting minutes as presented. **Motion passed unanimously.***

V. CONSENT AGENDA (7:11 p.m.)

- A. Resolution No. 2020-26 Granting Approval of Conditional Use Permit to Christine and James Stetler for Accessory Structure Over 5,000 Square Feet at 1832 Medina Road**
- B. Approve First Amendment to Development Agreement between the City of Medina and the Wealshire, LLC**
- C. Approve Amendment to Upland Buffer Easement Agreement at 3153 Magnolia Drive**
- D. Resolution No. 2020-27 Approving and Authorizing Execution of Construction Cooperative Agreement with Hennepin County for the Arrowhead Drive Railroad Improvement Project**
- E. Resolution No. 2020-28 Exhibit E for Grant Agreement to State Transportation Fund Local Road Improvement Program Grant Terms and Conditions SAP 250-593-001 for the Arrowhead Drive Railroad Improvement Project**
- F. Resolution No. 2020-29 Accepting Bids and Awarding the Contract for the Arrowhead Drive Railroad Improvement Project**

G. Resolution No. 2020-30 Accepting Resignation of Aaron Amic from the Planning Commission

Moved by Pederson, seconded by Albers, 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 (7:14 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Gallup reported that the Park Commission will meet the following night to discuss a preliminary plat request related to parks and trails. She stated that the Park Commission members will also provide an update on the parks inventory.

C. Planning Commission

Planning Commissioner Nielsen reported that the Planning Commission met the previous week to consider a preliminary plat for a two-lot subdivision, noting that the Commission recommended unanimous approval subject to the conditions in the staff report. She stated that the Commission also considered an amendment to the City Code related to the setbacks for sheds/accessory buildings, noting that the Commission recommended approval of the amendment. She stated that Planning Commissioner Amic also submitted his resignation and a new Vice Chair will need to be appointed at a subsequent meeting.

VII. PRESENTATIONS

A. Abdo, Eick & Meyers – 2019 Annual Financial Report (7:19 p.m.)

Martin commended Barnhart and her staff for the excellent marks the City continues to receive on the financial audits.

Justin Nielson, Abdo, Eick and Meyers, echoed the comments of thanks to the City financial staff for the work it does to prepare for the audit. He reported an unmodified, clean opinion for 2019. He stated that there was one internal control finding related to an adjustment of contributed assets by developers.

DesLauriers asked if the City has had capital assets contributed by developers in the past.

Nielson reported that the assets would be streets or other infrastructure. He stated that he cannot recall other contributed assets during his time working with the City but noted that it is not a new process.

Barnhart stated that with all the developments in Medina, assumptions can be made that developers contributed something to the City, but perhaps the internal policies were not in place at that time. She stated that it was an excellent find during the audit to ensure the proper process is followed in the future. She stated that this instance was the dedication of utilities and streets within The Enclave development.

Nielson provided a five-year comparison of the City's unassigned fund balance, noting that the City's reserve balance is healthy, exceeding the recommended minimum balance set in City policy. He provided details on the City's special revenue funds, capital funds, debt service funds, and enterprise funds. He reviewed some key performance items.

Pederson commended staff for its excellent work.

Anderson echoed the comments of thanks to staff. He stated that his sense is that the City is in good shape, which is helpful with the uncertainty that will continue for the remainder of this year and future years.

Albers also thanked staff for its great work and the great results.

Moved by Albers, seconded by DesLauriers, to accept the 2019 Audit from Abdo, Eick and Meyers.

A roll call vote was performed:

Pederson aye
Anderson aye
DesLauriers aye
Albers aye
Martin aye

Motion passed unanimously.

VIII. NEW BUSINESS

**A. Tamarack Drive Corridor/Visioning Study – Concept Review and Update
(7:37 p.m.)**

Stremel identified the corridor area, noting that the intent is to plan for future improvements and gather input from stakeholders and residents. He noted that the future improvements would most likely occur in phases as adjacent land develops. He reviewed the guidance that the plan would provide. He reviewed the adjacent land uses within the corridor, highlighting the potential future land uses for those properties when/if they develop. He also reviewed the staging periods for the different parcels within the corridor. He reviewed the different steps of the study process that were completed.

Chuck Rickart, WSB Traffic Engineer, stated that they did an extensive traffic analysis for the area with the primary goal of reviewing the corridor and anticipated traffic volumes from future development. He stated that they also met with MnDOT, at their request, as MnDOT wanted to determine that a signal would be the appropriate traffic control at that intersection, which required study of other roadways in the area. He

provided details on how the analysis was completed, using the land uses identified in the 2040 Comprehensive Plan. He provided a comparison of the existing daily traffic counts on the corridors to the projected 2040 numbers, which assume a full movement signalized intersection at Tamarack and Highway 55. He stated that if the signal is not provided there would be a significant shift in the traffic pattern. He provided background information on the levels of service grades identified for the different intersections and then reviewed the existing levels of service and projected levels of service for the different intersections. He reviewed the different improvements proposed within the study and the related service level that would be anticipated.

Martin stated that she has difficulty in predicting what will be needed for future development but recognizes the need to plan ahead. She stated that perhaps the Council should choose the most desirable options, rather than making choices based off cost, with the recognition that those choices would only move forward if there is sufficient funding.

Anderson asked if staff reviewed what would happen to overall traffic north of Highway 55, by eliminating the throughput from 55 at Tamarack up to Meander.

Rickart stated that if the properties developed to the full extent proposed in the 2040 Comprehensive Plan, there would be a significant increase in traffic on Meander Road.

Stremel stated that there would be a significant change in the level of traffic and level of service at the adjacent intersections.

Anderson stated that this plan is gross in his opinion and does not match the desire to maintain the rural character of Medina.

DesLauriers stated that he shares the same concerns. He noted that from 116 to Willow Drive there are currently five stoplights on Highway 55, and this would make a 6th stoplight within a two-mile radius. He stated that it gets to be a lot. He recognized that traffic controls are needed, and it is tough to find the right balance.

Anderson stated that he is shocked that the State would agree to place a full stoplight at Tamarack for that reason.

Pederson stated that he has a completely different point of view. He stated that with the school location there would need to be a safe access for buses to come in and out. He noted that this is also the last retail area within Medina. He commented that much of the infrastructure costs would be paid for through development. He asked whether a roundabout could be installed at Pinto and Meander. He stated that it appears that MnDOT has planned for this improvement with the turn lanes and median.

Stremel stated that the roundabout could be considered for Pinto and Meander.

Rickart replied that they have not yet reviewed that option but could look into that option as well. He agreed that there are intersection elements in place at Tamarack, it just needs the added control. He stated that with the right-in/right-out option at Tamarack, the traffic counts on Meander would be anticipated to double. He noted that with no access to Highway 55, the traffic count could exceed 10,000 cars per day on Meander.

Stremel stated that the public engagement process helped to drive the design and provided details on the public engagement process. He presented the design options preferred through the public engagement process. He reviewed the next steps noting that once input is received from the Council, additional design work will be completed, and the remaining study work will be completed. He stated that staff would also develop a feasibility study for the intersection signal as a separate project. He stated that cost estimates and possible funding mechanisms would also be reviewed and included in the final study report.

Finke stated that if there was not going to be an intersection at Highway 55 and Tamarack, the land uses in that area would be different. He stated that there are six or seven property owners through the corridor with different land uses, therefore there will most likely be projects completed at different periods of time. He explained that the corridor study will help to provide guidance on the needed improvements for each phase of development. He stated that input is needed from the Council as to whether the parkway standard design is preferred and whether there is a desire for a roundabout at the commercial entrance to the north.

Martin commented that the parkway is beyond what she envisions Medina to be and does not seem to fit the character of the community. She stated that she would like to experiment with a roundabout.

Anderson stated that he is stunned by this proposal. He stated that if this has to move forward, he would prefer to see the roundabout in the commercial area. He stated that he is curious about the parkway, as that could be viewed as the nicer option of the two as it seems to result in more land, trees, and vegetation with a wider road.

Martin stated that it seems like a lot of road and suburbia for Medina.

Albers asked what the expense would be for the City to maintain a parkway segment of road, as it appears there would be a lot of maintenance with the shrubs, trees, and mowing. He asked if it would be worth it to attempt to achieve that look for that short segment of roadway. He echoed the comment that this is a lot of information to digest. He asked the timeline when projects would become real and move forward. He stated that given the unknown economic times, he would be cautious on the timing of the projects. He stated that he thought that roundabouts are much more expensive than a signal.

Anderson echoed the comments of the timing of this project related to the unknown economic times. He stated that potentially nothing may occur within the corridor for five years and asked for information on the timing.

Pederson stated that this is a similar process to Chippewa, noting that it is important for planning to get ahead of the curve and determine access, which eliminates the safety concerns that would arise when development occurs. He stated that developers will provide a contribution for the improvements needed for their segment of the corridor improvements. He stated that staff will need this information for future discussions with developers. He stated that he likes the roundabout but does not like the cost of a roundabout.

Martin stated that it is important to plan for traffic improvements that will be needed when development requests come forward. She stated that guidance should be given with the caveat that the improvements would be dependent upon the development that comes forward and the funding available/required. She asked the Council to provide input on the differences between Concept A and Concept B. She commented that everyone has trepidation with the development that may come and the need for forecasting of traffic improvements that would be needed.

Stremel stated that a similar roundabout discussion occurred in the Chippewa corridor study. He noted that in this corridor, the cost between a signal and roundabout would not be that different because the intersection is not yet developed. He noted that the adjacent development would provide the right-of-way and some of the other elements. He stated that perhaps the difference in cost between the two options in this location would be 10 to 15 percent, whereas in an established intersection the difference would be about 25 percent.

Finke stated that with this plan in place, the lion's share for the construction of the improvements within the corridor would be funded by the adjacent development. He explained that is why it is important to have this plan in place prior to development requests coming forward. He stated that it will be a challenge to develop a funding mechanism for the signal. He stated that it would be fair to assume there would not be a contribution from MnDOT for the Highway 55 signal.

DesLauriers stated that he likes the stop sign location at Meander and the roundabout which helps the flow of traffic. He recognized that there would be a higher cost for the roundabout, it would provide benefit. He stated that he likes Concept A. He stated that while the parkway option is aesthetically pleasing, it would be hard to maintain and instead prefers the option with a road and sidewalk. He referenced the locations for water retention ponds and stated that he prefers the far-left option shown in Concept B rather than the far-left option shown in Concept A. He stated that the Concept B option would help to breakup the retail development from the adjacent residential development.

Stremel stated that it is difficult to predict the type of development that would be proposed for the commercial areas identified and therefore staff provided those options to generate feedback.

Finke stated that the main difference between the two concepts on the west end is the intersection that reaches Meander, noting that Concept A extends to the west of Fields of Medina whereas Concept B merges at the Fields of Medina neighborhood.

Albers stated that he likes the idea of Concept A, where the intersection is not aligned with the neighborhood and imagined that would be the preference of the neighborhood as well. He stated that this option would attempt to stagger that increased traffic.

Martin agreed with the comments of Albers.

Stremel confirmed that was a prominent comment from the public, preferring the connection occur further west.

Scherer asked if that west access would present any issues with sightlines.

Stremel stated that sightlines were considered when determining that west connection.

Scherer recognized the comments from Albers related to increased maintenance that would be needed with the parkway design. He stated that if there is not an intersection to Highway 55 that would really increase Meander and 116 traffic. He stated that this really is a clean slate and it is important to look at all the options. He stated that staff discussed the roundabout option in depth, noting that the roundabout would support a variety of different angles for connections to occur which provides flexibility in planning for adjacent properties.

Martin confirmed the consensus of the Council was that the preferred options was for a roundabout, for the westerly road connection to occur west of the Fields of Medina, and for a more traditional divided road rather than a parkway.

Martin asked if the cost to finalize the study is included in the budget.

Johnson confirmed that the study was a part of the 2020 budget.

Moved by DesLauriers, seconded by Martin, to proceed with Concept #A as the preferred option, including a full access with signal at Highway 55.

A roll call vote was performed:

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

Motion passed.

Anderson stated that he voted against this because he is concerned that by completing the study it would encourage developers and development.

Albers echoed the sentiment that this study could be seen as the City advertising for development.

Martin stated that she is supporting this because she is looking for further study and input from the relevant agencies related to the curb cut but is not voting for the construction of the roads or development. She stated that this is a planning exercise and not a method to promote development.

Moved by Martin, seconded by Pederson, to direct staff to take actions necessary to secure approval from relevant agencies for the access at Highway 55 and to complete the Tamarack Drive Study.

A roll call vote was performed:

Pederson **aye**
Anderson **nay**
DesLauriers **aye**

Albers *nay*
Martin *aye*
Motion passed.

B. 2020 Meeting and Event Calendar Updates (9:03 p.m.)

Gallup stated that staff provided two possible dates in July to hold Clean Up Day, noting that staff would recommend July 18th. She stated that the event would be changed in format to have more limited contact and provided details on the limited contact event format.

Martin commented that the format seems great.

Pederson stated that he is excited for the event, as he has materials to dispose of. He stated that he supports the date of July 18th. He stated that this event gives people the opportunity to dispose of items, so that the items are not disposed of incorrectly.

Martin confirmed that consensus of the Council to hold the limited contact event on July 18th.

Gallup noted that Night to Unite is a national event and the date was changed from Tuesday August 4th to Tuesday October 6th. She recommended that the meeting calendar be updated with that change. She stated that the August 4th Council meeting was rescheduled to August 5th to support Night to Unite and suggested changing the meeting date back to August 4th. She stated that the first Council meeting in October would then need to shift to October 7th to support the new Night to Unite date.

Martin confirmed the consensus of the Council to make those changes to the calendar as well. She asked staff to provide an updated version of the calendar, with the changes highlighted.

Gallup stated that Medina Celebration Day is a huge community event, but there is no way to hold that as a limited contact event. She stated that with the uncertainty related to COVID-19 and the amount of planning, staff would recommend canceling the event for 2020.

Martin agreed with the analysis of staff.

DesLauriers agreed that the event would be too many people in too close of an area.

Anderson stated that while it is unfortunate, he agrees that the event should be canceled.

Gallup stated that staff will advertise the changes in the City event calendar in the next issue of the newsletter.

Martin thanked Gallup and the other staff for the work they did on these suggestions. She expressed gratitude to City staff for the excellent and professional work that they provide.

*Moved by Martin, seconded by DesLauriers, to adopt the updated meeting calendar as discussed. **Motion passed unanimously.***

C. Public Safety COVID-19 Update (9:12 p.m.)

Nelson stated that COVID-19 has not impacted Medina as it has other communities. He stated that the lake group continues to meet weekly to discuss staffing. He stated that Medina will revert to the original patrol schedule the following day. He stated that the City will continue to follow the new format of responding to calls. He provided an update on the Governor's declarations and orders. He stated that staff continue to work with business owners as much as possible. He stated that there are concerns statewide related to the inability for small businesses to open while larger retailers remain open for business. He believed that Minnesota has done a good job statewide to follow the orders and flatten the curve. He stated he directed his officers and the department that they are there to educate people. He noted that some complaints may be forwarded to appropriate entities. He stated that for the most part the residents and business owners understand that there are lives at risk and everyone has done a good job protecting the largest amount of people possible. He stated that the police department has created a goal of having a 30-day supply of PPE, in case the pandemic hits the community hard. He noted that his department is close to reaching that 30-day supply goal. He stated that there have been cases of COVID-19 within Medina and within the congregate care facilities in Medina, but not to the extent of other communities. He stated that Minnesota will be able to use the data from Wisconsin opening without social distancing in its model for opening additional businesses on June 1st.

Martin asked Nelson how he would feel about opening bars and restaurants.

Nelson stated that they have prepared so much and for so long for this massive spike that has not hit and therefore people are ready to go back to work. He stated that from a rural standpoint he believes that the bars and restaurants should open. He stated that each person should take it upon themselves to take responsibility for their own risk factors. He noted that is simply his opinion.

Martin stated that when you think about how many people that have the virus are asymptomatic, it can be frightening to think about how it could spread to and from congregate care facilities.

IX. CITY ADMINISTRATOR REPORT (9:23 p.m.)

Johnson had nothing further to report.

X. MAYOR & CITY COUNCIL REPORTS (9:24 p.m.)

Albers mentioned the comment that one restaurant in Medina is looking to expand outdoor seating. He stated that as different businesses are allowed to open that have been forced to close, he would hope that the City could be as accommodating as possible to provide flexibility for expanded seating when appropriate in an attempt to help those businesses generate revenue. He stated that if flexibility is provided for the short-term it could lessen the likelihood that Medina would lose those businesses. He commented that this recovery will most likely occur for the next 12 to 18 months and is not likely to be the quick recovery that people are hoping for. He asked the Council to be smart on its approach, being flexible and accommodating in a safe manner.

Martin stated that there was discussion today related to flexibility of regulations related to outdoor seating and service and other potential impacts. She asked that staff be prepared to bring forward relaxed standard to accommodate those businesses. She

stated that the focus first would be on restaurants and those that serve liquor, noting that additional review could follow, if needed, for retail businesses.

Albers agreed that it would make sense to consider that at the first meeting in June.

Johnson confirmed that staff has already begun to investigate this matter in attempts to work with restaurant owners and will determine if any changes need to be made to the regulations.

Martin stated that perhaps staff should also consider other businesses and related regulations that may need to be reviewed in order to support the continued changes and social distancing elements.

Johnson confirmed that staff will continue to review the issue and bring something back to the Council for consideration.

Albers thanked staff for their quick response to his question and noted that he was impressed with the collaboration and coordination that occurred with the local business.

XI. APPROVAL TO PAY THE BILLS (9:33 p.m.)

Moved by Anderson, seconded by Martin, to approve the bills, EFT 005511E-005527E for \$55,336.49, order check numbers 050215-050250 for \$76,543.78, and payroll EFT 0510225-0510258 for \$52,177.99.

A roll call vote was performed:

Anderson aye
DesLauriers aye
Albers aye
Martin aye
Pederson absent/lost connection

Motion passed unanimously.

XII. ADJOURN

Moved by Anderson, seconded by DesLauriers, to adjourn the meeting at 9:35 p.m.

A roll call vote was performed:

Pederson absent/lost connection
Anderson aye
DesLauriers aye
Albers aye
Martin aye

Motion passed unanimously.

Kathy Martin, Mayor

Attest:

Scott Johnson, City Administrator