

MEDINA CITY COUNCIL MEETING MINUTES OF JANUARY 19, 2021

The City Council of Medina, Minnesota met in regular session on January 19, 2021 at 7:00 p.m. in the City Hall Chambers. Mayor Martin presided.

Martin read a statement explaining that meetings continue to be held virtually due to the ongoing pandemic and reviewed instructions for participation by members of the public.

I. ROLL CALL

Members present: Albers, Cavanaugh, DesLauriers, Martin, and Reid.

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 (7:03 p.m.)

III. ADDITIONS TO THE AGENDA (7:04 p.m.)

The agenda was approved as presented.

IV. APPROVAL OF MINUTES (7:04 p.m.)

A. Approval of the January 5, 2021 Regular City Council Meeting Minutes

Martin noted that prior to the meeting Johnson distributed proposed corrections as suggested by herself and Cavanaugh.

Moved by Martin, seconded by Albers, to approve the January 5, 2021 regular City Council meeting minutes as amended.

A roll call vote was performed:

*DesLauriers aye
Albers aye
Cavanaugh aye
Reid aye
Martin aye*

Motion passed unanimously.

V. CONSENT AGENDA (7:05 p.m.)

A. Resolution 2021-05 Authorizing Resubmission of an Adjustment to the Weston Woods of Medina Comprehensive Plan Amendment to the Metropolitan Council for Review

- B. **Resolution 2021-06 Accepting the Resignation of Police Officer Kaylen Boeddeker**
- C. **Approve Tennis Court Rental Agreement with Carrie Agre**
- D. **Approve 2021 Tobacco License to Inn Kahoots**
- E. **Approve Holy Name Estates Wetland Replacement Plan**

Cavanaugh referenced Item C. He asked if information could be provided related to the number of Medina residents taking lessons compared to non-residents. He also asked if there could be clear signage that states the court is reserved and approved by the City.

Johnson stated that he could follow up on signage.

Gallup commented that she believes the majority are Medina residents taking tennis lessons. She noted that there was a previous presentation to the City where residents spoke in support of the lessons.

Martin stated that perhaps Gallup could circulate her previous memorandum related to the private/public partnerships in Medina to provide youth recreational opportunities.

Johnson confirmed that staff could circulate that information as discussed.

Reid referenced the Weston Woods resolution, noting that several changes were highlighted in red and asked if those changes only relate to Weston Woods and not the entire Comprehensive Plan.

Finke replied that the redlines in Exhibit B would change the language within the Comprehensive Plan because of the map changes particular to the Weston Woods development.

Moved by Reid, seconded by Cavanaugh, to approve the consent agenda.

A roll call vote was performed:

*DesLauriers aye
 Albers aye
 Cavanaugh aye
 Reid aye
 Martin aye*

Motion passed unanimously.

VI. COMMENTS (7:11 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer commented that the Park Commission will meet the following night at which time the new members of the Commission will be introduced, and the group will brainstorm and set goals for the upcoming year.

C. Planning Commission

Planning Commissioner Beth Nielsen reported that the Planning Commission met the previous week and welcomed two new members. She advised that she was elected as Chair and Commissioner Galzki as Vice Chair. She stated that the Commission reviewed a request for a Conditional Use Permit to construct a 12,600 square foot addition to an existing barn for an indoor riding arena and unanimously recommended approval, with one abstention. She stated that the Commission also discussed the City's threshold related to stormwater management requirements as the threshold seems to be triggered more than anticipated for rural residential lots. She noted that due to the complexity of the topic and proposed changes, the issue was tabled and will come back to the Commission at its February meeting.

VII. NEW BUSINESS

A. Discussion on Ordinance Pertaining to Penalties and Targeted Residential Picketing (7:18 p.m.)

Johnson stated that the Council inquired about a potential ordinance pertaining to targeted residential picketing in December and since that time Nelson and Gallup worked with Batty's office to create a draft ordinance for the Council to review.

Batty commented that the interest arose from newspaper reports of communities in the east metro adopting or considering similar ordinances. He stated that the draft ordinance is brief and straightforward. He referenced section two which prohibits picketing in residential areas and describes that activity. He noted that raises first amendment issues but noted that there is a US Supreme Court decision that upheld this concept in 1988. He stated that the ordinance is narrowly drawn to prohibit picketing in residential areas and is content neutral and therefore he believes would be upheld if challenged. He referenced the first section of the ordinance, which is introductory, and stated that the language brings the City's Code up to date.

Martin complimented Batty on his fine drafting skills.

Batty commented that Dave Anderson drafted the staff report and ordinance and therefore deserves that praise.

DesLauriers echoed the thoughts related to the clarity and updating to the current standards. He believed that the Council should consider adopting this at a future meeting.

Cavanaugh stated that he also supports the ordinance. He asked if the ordinance could be adopted tonight or whether it would need to come back.

Johnson stated that this would have to come back to meet the publication timeline requirements under statute.

Albers commented that he also supports the ordinance and agreed that it was easy and understandable reading.

Reid stated that she supports the ordinance as she believes that picketing a residence is not the proper form for protest.

Martin stated that she supports the ordinance as well and confirmed the consensus of the Council to bring the ordinance back at a future meeting as prepared.

Johnson stated that staff will follow the proper protocol and bring this back for adoption on the Consent Agenda at a future meeting.

B. Public Works Position Recruitment (7:27 p.m.)

Johnson stated that public works is requesting authorization to recruit for the vacant public works position. He stated that the position is budgeted for in the 2021 budget and supports filling the position.

Scherer commented that this is not a new position and is a position that has been vacant for the past two years. He noted that they have tried to fill the position twice during that time but could not find a good fit. He hoped that there would be a qualified candidate interested in the position at this time. He stated that they would like to move forward and post the ad as soon as possible. He commented that based on the work session discussion, they could create separate levels for the different maintenance technician positions.

Martin commented that it seemed that the majority of the Council supported that concept during the work session discussion.

DesLauriers stated that his preference is not to change the job title but pay the employee at an acceptable pay grade based on years of experience and skill set.

Albers commented that he would be supportive of increasing the pay to the level it needs to be as well.

Reid stated that she supports with proceeding with advertising the position and making the pay adjustment as proposed by staff.

Cavanaugh confirmed that he is also supportive of advertising the position. He also supported adjusting the pay rate for Joe Ende considering his performance, added responsibilities and market rates of similar positions.

Martin confirmed the consensus of the Council to support the pay adjustment as recommended by staff. She noted that if specific action is required to implement that goal it could come back to the Council for formal approval.

Johnson stated that he will work with Scherer and Barnhart to draft a staff report related to the wage change and bring that back to the Council.

Moved by Reid, seconded by Albers, to approve job description and authorize staff to begin recruitment for the vacant Public Works Maintenance Technician position.

A roll call vote was performed:

*Cavanaugh aye
Reid aye
DesLauriers aye
Albers aye*

Martin aye

Motion passed unanimously.

C. Police Officer Position Recruitment (7:33 p.m.)

Johnson stated that on Consent tonight the Council accepted the resignation of a Police Officer and therefore staff is asking for the authorization to begin recruitment for the position.

Nelson commented that this position is very important as it is meant to backfill for vacation and alleviation scheduling issues. He stated that with COVID more vacation time was allowed to be carried over and without this position there is not sufficient staffing to allow for the Officers to take time off. He acknowledged the lengthy process required for hiring, noting that if they began now the new recruit would not begin until May with field training occurring throughout the summer. He stated that the department will continue to work with the resources they have to accommodate some time off for Officers.

Martin stated that the Council previously approved this position and therefore does not see a need for discussion.

Moved by Martin, seconded by Albers, to approve job description and authorize staff to begin recruitment for the vacant Police Officer position.

A roll call vote was performed:

Reid aye
Cavanaugh aye
Albers aye
DesLauriers aye
Martin aye

Motion passed unanimously.

VIII. CITY ADMINISTRATOR REPORT (7:38 p.m.)

Johnson had nothing further to report.

IX. MAYOR & CITY COUNCIL REPORTS (7:38 p.m.)

No comments.

X. APPROVAL TO PAY THE BILLS (7:39 p.m.)

Moved by DesLauriers, seconded by Cavanaugh, to approve the bills, EFT 005782E-005799E for \$5,880,518.26, order check numbers 051151-051210 for \$426,766.87, and payroll EFT 0510739-0510771 for \$56,265.77.

A roll call vote was performed:

Albers aye
Reid aye
DesLauriers aye
Cavanaugh aye

Martin aye

Motion passed unanimously.

XI. ADJOURN

Moved by Albers, seconded by DesLauriers, to adjourn the meeting at 7:42 p.m.

A roll call vote was performed:

Martin aye

Reid aye

Cavanaugh aye

Albers aye

DesLauriers aye

Motion passed unanimously.

Kathleen Martin, Mayor

Attest:

Jodi M. Gallup, City Clerk