

**MEDINA CITY COUNCIL MEETING MINUTES OF FEBRUARY 16, 2021**

The City Council of Medina, Minnesota met in regular session on February 16, 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 in a virtual format because of the ongoing pandemic and reviewed instructions for public participation.

**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 (7:03 p.m.)**

Johnson requested to add an Item B, under New Business, to call for Special 6:00 p.m. Worksession meetings on February 23<sup>rd</sup> and March 2<sup>nd</sup> related to the Diamond Lake Regional Trail.

*Moved by Cavanaugh, seconded by Albers, to approve the agenda as amended.*

*A roll call vote was performed:*

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

***Motion passed unanimously.***

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

**A. Approval of the February 2, 2021 Regular City Council Meeting Minutes**

Martin noted that prior to the meeting Johnson distributed changes as proposed by herself to be incorporated into the minutes.

*Moved by Martin, seconded by Albers, to approve the February 2, 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. Approve First Amended and Restated Contract for Fire Protection with Hamel Volunteer Fire Department**
- B. Resolution No. 2021-11 Granting Approval of Conditional Use Permit to Lothar and Monica Krinke for Accessory Structure Over 5,000 Square Feet**

*Moved by Cavanaugh, seconded by Martin, to approve the consent agenda.*

*A roll call vote was performed:*

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

***Motion passed unanimously.***

**VI. COMMENTS (7:07 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 and adopt the goals list for 2021, which is quite extensive. He stated that they will attempt to use Public Works staff and equipment when possible to accomplish some of the items on the list.

Albers asked if the Commission has considered installing hockey boards at any of the ice rinks at the parks.

Scherer stated that a hockey rink may have been discussed years back. He stated that this year they had trouble getting the ice to establish. He noted that new goals were placed on the Hamel rink, but it is not within the capital plan to install hockey boards.

Albers commented that Wayzata has a hockey rink with boards that is used as an off-leash dog park in the warmer months and as a hockey rink in the winter months. He stated that perhaps the Park Commission would consider that item.

Scherer stated that the Commission is going to discuss the 2021 goals at its meeting the next night and perhaps that could be added to a future list of goals/options.

Cavanaugh agreed that could be an amenity that would be well used by Medina residents.

Albers commented that perhaps there would be an opportunity to work with a local hockey association, as there may be a willingness of an association to contribute to the cost in order to have an opportunity for additional ice time.

Scherer confirmed that could be added to the discussion list for parks capital planning for the 2022 year.

### **C. Planning Commission**

Planning Commissioner Rhem reported that the Planning Commission met the previous week to review the Medina Townhome Development that is on the Council agenda tonight, noting that the comments from the Commission were consistent with the staff comments. He stated that the Commission also reviewed the proposed ordinance amendments related to stormwater improvements, noting that the Commission recommended approval of the staff recommendation to exempt lots under 20 percent hardcover with an upper limit of one acre of new hardcover.

## **VII. NEW BUSINESS**

### **A. Medina Townhome Development LLC – 1432 County Road 29 – Planned Unit Development (PUD) Concept Plan Review (7:15 p.m.)**

Finke presented a Planned Unit Development Concept Plan for the subject site and displayed an aerial photograph of the site, identifying the adjacent property uses. He explained that the property is zoned as R-4 and noted that the PUD would allow for flexibility of the underlying zoning in return for providing additional benefits that meet other goals of the City and provide a more desirable development. He displayed the proposed site plan of six buildings each with four units for a total of 24 units. He stated that there would be construction of a public street to the south, as identified in the City's transportation plan. He stated that the proposed density of the site is just under the 12 units per acre specified by the R-4 district. He noted that the City would have to make the decision as to whether that density would be consistent with the Comprehensive Plan. He stated that staff believes that the development would be consistent with the Comprehensive Plan as it is near that density range and only a two-acre site. He stated that the Comprehensive Plan also speaks to some flexibility from the density based on elements in the Code, which could reduce that density to 22 units for the two-acre site. He stated that the applicant believes that some flexibility would be needed from the R-4 district in order to provide townhomes on the site, such as the flexibility on the front setback. He noted that the alternative would allow for construction of an apartment or condominium building that would have additional height in order to put the same number of units on a smaller footprint. He stated that the applicant also notes that they would be willing to reserve two of the 24 units for rent at 80 percent of the median income level in order to achieve a portion of the City's goals for workforce and affordable housing. He provided a rendering of the proposed structures and reviewed the details of the proposed elevations as well as the comments of staff and the Planning Commission. He noted that at the Planning Commission meeting a neighboring property owner requested a privacy fence to provide a buffer between the patios and his property.

Martin asked for input on the site layout and architectural design.

Reid stated that she sees a missed opportunity, noting that if the garages were flipped to face the outside and front entrances facing the center that would create a center commons area that would help to create a sense of community. She believed that more innovative architecture is needed for the project as the garage side looks ordinary and the patio and front door side would be unacceptable. She did not believe that this would meet the requirements of a PUD as she did not see any planning or architecture that would justify a PUD.

Finke commented that staff would need to see what that design would look like, noting that the question would be how the other bank of townhomes would be accessed.

Martin commented that Reid presented an interesting concept and asked if the developer could provide input on that suggestion. She stated that she would like to see greater accent materials and a better design with more curb appeal. She stated that she also agrees with the staff and Planning Commission recommendations.

Cavanaugh asked where the six guest parking stalls would be located.

Finke replied that the guest parking was a staff recommendation and has therefore not yet been shown on the plan. He noted that the applicant suggested a few potential locations for the guest parking and confirmed there would be sufficient space to add parking in those locations.

Cavanaugh asked where the snow would be stored.

Finke replied that the applicant can address that question.

Cavanaugh stated that the units have short driveways and if snow is stored at the end of the road it would make it difficult for end units to turn their vehicles around. He stated that he would be keener to reach the density of 24 units or changing the product offered. He stated that the second layout includes an option of six units per building.

Martin asked the square footage of the interior of the units.

Finke stated that he can attempt to pull that information out of the plans.

Martin stated that perhaps the square footage of the units could be reduced to achieve the density.

Cavanaugh agreed that the units seem large and perhaps the unit size could be reduced to meet some of the standards.

Finke estimated about 2,200 square feet per unit.

Albers stated that in reviewing the layout he is concerned with the setback of only 20 feet from the local road. He stated that he also echoes the comments of Reid that there is something lacking in terms of architectural design.

DesLauriers stated that he is very concerned with the 20-foot setback and would like to find a way to better meet the required 40 foot setback. He asked for clarification on driveway length.

Finke replied that the distance would depend upon how the townhome units would be platted. He stated that in other townhome developments in the community the distance is more likely to be 27 feet from garage to the drive aisle, whereas this would propose 22 feet. He stated that this development would propose a wider drive aisle between the units than would be required, which would balance that out.

DesLauriers stated that he would like to see the maximum hardcover percentage for the site too as it appears to be out of compliance. He asked what 80 percent of the median income would equate to for the affordable housing units. He stated that he is also concerned with snow storage and parking for guests as there is not much room in the driveways.

Martin asked if the public street would provide opportunities for guest parking as well.

Finke replied that the public street would most likely not provide options for parking because of the curved alignment of the street.

Martin commented that if the units each have three or four units, the available garage space and parking on the site seems tight.

Reid noted that the neighboring retail area is lightly used and typically has excess parking.

Martin commented that there would not be a legal right for the townhome residents to park in that area but perhaps a cross parking easement could be secured by the applicant.

Finke commented that the current Metropolitan Council figures show a three-bedroom unit at 80 percent of the median income for the area to be approximately \$2,100 per month.

DesLauriers asked if the affordable housing units could then be charged rents of up to \$2,100.

Finke confirmed that to be true noting that the other units could have a higher rate if the market demanded.

DesLauriers stated that during the Planning Commission meeting the comment was made by the applicant that they would anticipate rents around \$2,000 per month and asked if the affordable units could then have higher rates than the other units.

Martin stated that there are concerns with how the units work on the site in light of parking needs and snow storage as well as concern with the architectural presentation of the units. She stated that the Council also agrees with the recommendations of the staff and Planning Commission but would like to see additional elements added in order to enhance the curbside appearance.

Reid stated that this is an opportunity for have a lovely townhouse development and does not want to miss that opportunity but does not believe this would qualify for a PUD.

Finke provided a summary on the infrastructure proposed including the roadway. He stated that the Planning Commission held a public hearing at its meeting the previous week and Commissioners generally supported the townhome use and some flexibility in the setback in order to support that use. He noted that Commissioners also expressed similar concern in the tightness of the site as additional guest parking will need to be incorporated as well. He stated that the City does have a great deal of discretion when reviewing PUD's and noted that it is important to compare a PUD proposal to the underlying standards rather than to alternative land use or no development. He stated that part of that consideration is how many items are being requested for flexibility. He noted that in this case the main flexibility is the front setback, as the other elements generally meet the zoning requirements. He noted that the intent is for the Council to provide comments tonight and no formal action is requested tonight.

Martin noted that there is a tot lot proposed, but sometimes the people that need some space are adolescents and was unsure if a sports court or other similar type of amenity could be provided, recognizing the tightness of the site.

DesLauriers stated that it was noted that there may be sidewalks connecting in the future and asked for details.

Finke replied that the comment was to provide the sidewalk/trail connections along the western portion and through the site along the public roadway in order to provide a connected network.

Shane LaFave, representing the applicant, expressed appreciation for this opportunity to gather input from both the Planning Commission the previous week and the Council tonight. He stated that they see the most demand in this area for families to have a rental option in Medina and within the Orono School District. He stated that there is a huge demand but lack of supply for rental housing. He noted that three- and four-bedroom units would provide that opportunity for families and advised that they would be happy to show that market demand with the Council. He stated that they are attempting to target those families that have a need for rental units with three or four bedrooms. He commented that the affordable units would be a maximum of \$2,100, or whatever the market demands, and the affordable units would never be more expensive than the other units. He stated that they are proposing 24 units on the site in order to meet the Comprehensive Plan requirement for density. He stated that if the setback were not reduced, they would only be able to fit 18 units on the site. He stated that they would need flexibility either from the setback requirement or the density requirement in order to make this type of project feasible. He stated that the guest parking arose during the input from the Planning Commission and they have not yet had a chance to update the plan but agree there needs to be guest parking and room for snow storage. He noted that the updated plans would also include more dimensions in order to provide additional information. He confirmed that they would also work to improve the design, noting that these plans are only at about five percent completion and confirmed that they would improve the architectural design as they continue to work on the plans.

Martin expressed appreciation for the presentation from the developer along with the staff analysis and review by the Planning Commission.

**B. Call for Special 6:00 p.m. Worksessions on February 23<sup>rd</sup> and March 2<sup>nd</sup> to Discussion Diamond Lake Regional Trail (7:53 p.m.)**

Johnson asked if the Council would be comfortable setting dates of February 23<sup>rd</sup> and March 2<sup>nd</sup> for continued review of the Diamond Lake Regional Trail.

Albers asked if the February 23<sup>rd</sup> meeting would be an additional worksession as he does not notice a regular Council meeting to follow.

Johnson confirmed that would be a special worksession without a regular Council meeting.

Albers asked if that start time could begin at 7:00 p.m. rather than 6:00 p.m.

Martin stated that it was announced to the public that the time would be proposed for 6:00 p.m. during the work session earlier tonight and therefore would prefer to stay with that time.

Albers commented that he has a conflict at that time but could work it out.

Martin noted that the meeting will be recorded, and minutes will be provided if he has a conflict and cannot attend. She stated that most of those that participated tonight have provided email addresses and therefore staff could send an email that the start time has been changed if desired.

DesLauriers stated that he would prefer the 6:00 p.m. time because that time was announced earlier tonight with 45 people virtually attending.

Cavanaugh commented that he would also prefer 6:00 p.m. as that would provide additional time should the meeting length run long.

Martin confirmed the consensus of the Council to have a 6:00 p.m. start time. She noted that the meeting will be recorded, and Albers could join the meeting when available.

Albers commented that most likely he could listen in but would have limited ability to comment during that time.

*Moved by Martin, seconded by DesLauriers, to call for special Council Worksession meetings at 6:00 p.m. on February 23, 2021 and March 2, 2021 to discuss the Diamond Lake Regional Trail.*

*A roll call vote was performed:*

<i>Reid</i>	<i>aye</i>
<i>Cavanaugh</i>	<i>aye</i>
<i>DesLauriers</i>	<i>aye</i>
<i>Martin</i>	<i>aye</i>
<i>Albers</i>	<i>aye</i>

***Motion passed unanimously***

## VIII. OLD BUSINESS

### A. Hackamore Road Improvement Project (7:58 p.m.)

Johnson provided background information on the request.

Stremel identified the corridor for the project and stated that this is a joint project between Medina and Corcoran. He noted that this joint planning process would attempt to identify the design, improve pedestrian mobility, review, and improve deficient access, accommodate future development and potential access points, and identify the right-of-way needs and stormwater management opportunities. He stated that this will allow the cities to request the needed improvements as developments come forward in the corridor. He reviewed photographs of both the urban and rural sections of roadways along with current conditions. He reviewed some of the activity that has taken place including stakeholder engagement, traffic forecasting and analysis for future developments, review of design alternatives, options for project phasing, and project cost estimates. He provided a brief review of the design elements between option one and option two. He stated that generally the road would have rural sections but there would be curb required in some sections. He stated that the final alignment of the trail and either option shown could be incorporated into design. He reviewed sketches of the different road segments, noting that the differences are typically in striping and not width of the road, and highlighted some of the differences between the two options for the different segments. He reviewed details related to cost, noting that costs continue to be broken up by phasing and the next design phase would dig further into those costs. He provided information on the potential grant opportunity, noting that it is a competitive grant. He stated that if the grant is awarded, they would have to design the road to State Aid requirements but noted that the road is a State Aid road and therefore would already be required to meet MSA standards. He reviewed the recommended next steps which would include authorization for WSB to complete 75 percent design along with submission of the LRIP grant application. He noted that during the last discussion both Medina and Corcoran preferred option two with the desire for additional bicycle mobility. He reviewed the elements that would be further reviewed during the 75 percent design process.

Martin asked the extent of which drafting the grant application and the 75 percent design is within the current budget.

Scherer commented that he does believe this phase of the project was included in the capital plan. He reiterated the importance of having this knowledge prior to receiving development proposals to require the improvements as those projects move forward. He noted that if it is done in that manner, the ultimate cost to the City for completion of the remaining sections would be much less. He stated that the hardcover, both existing and new, will need to be treated for stormwater and therefore it is important that those elements could possibly be provided through adjacent development rather than solely by the cities.

Stremel provided additional information on the design cost and cost for completion and submission of the grant application, noting that the costs would be split between the cities.

Martin asked if the cost from WSB would be billed separately to each city.

Stremel stated that WSB has been routing the billing through Medina but can speak with staff if the process should be changed.

Martin commented that it would be important to her that Corcoran be billed individually as that city has agreed to share the cost equally. She asked if there would be any additional cost for right-of-way acquisition as shown in the cost estimate.

Stremel replied that right-of-way acquisition has not been included but some cost for wetland mitigation has been included. He noted that further cost refinement would come forward in the next design stage.

Martin asked if there is a sense of the right-of-way that could be needed or whether the work could occur within existing right-of-way.

Stremel replied that there will need to be space for wetland mitigation but noted that he does not have that detail at this time. He confirmed that would be included in the next design phase and confirmed that discussion would follow between the two cities as to how those improvement costs would be allocated in the future.

Martin commented that she would be comfortable contributing the costs from Medina but would not want to see Medina legally responsible for the entire cost and then obligated to bill Corcoran for its share. She commented that she would want the cities billed separately.

Stremel noted that he has written down that concern and will address it with staff.

Cavanaugh agreed on the limitation of liability to only be the Medina portion of the cost and not the entire cost.

DesLauriers agreed that Medina should only be liable for its share of the cost and Corcoran should be billed separately. He recognized that the cost for preparation of the grant would be split separately and asked if the grant funds are awarded would those funds then be split equally between the two cities.

Johnson commented that if the cost of the application is split, whatever monies are received from a grant should be allocated accordingly.

Martin stated that in the event that the cost to submit the grant is not equally split, the grant funds awarded should match the allocation of funds towards the grant application. She stated that she would be willing for Medina to pay the \$4,000 up front because of the deadline for submission, with the idea that Corcoran would reimburse Medina for its \$2,000 share. She stated that in that case, if funds are awarded, the \$4,000 Medina contributed could be reimbursed. She asked how staff would address the cost-split for the 75 percent design costs.

Johnson commented that WSB will invoice Corcoran for their \$24,000 for the 75 percent design and \$2,000 for the grant submission.

Martin asked if there would be sufficient time for Corcoran to have its Council consider this and still submit the grant application in time. She again commented that she would be comfortable with Medina submitting the grant application and if Corcoran does not

reimburse for its \$2,000, any grant funds received would be to Medina. She suggested that the Council authorize staff to submit the grant application with Medina funding the \$4,000 and requesting Corcoran to reimburse its \$2,000. She stated that she would also suggest that Medina approve the 75 percent design process with authorization for its \$24,000 and WSB billing Corcoran for its respective share.

Johnson asked Stremel if Corcoran acted at its last Council meeting to approve these actions.

Stremel confirmed that he virtually attended the meeting, and the Corcoran Council completed a similar action, solidifying the preference for option two, providing a letter of support for the grant application, and authorizing preparation of the 75 percent design.

**1. Resolution No. 2021-12 Authorizing Submission of Local Road Improvement Program (LRIP) Grant Application for Hackamore Road Improvement Project**

*Moved by Martin, seconded by Reid, to adopt Resolution No. 2021-12 Authorizing Submission of Local Road Improvement Program (LRIP) Grant Application for Hackamore Road Improvement Project directing staff to submit the application in the name of Medina with Medina funding the \$4,000 cost to WSB and then requesting reimbursement from Corcoran in the amount of \$2,000 and to authorize WSB to proceed with 75 percent design of the Hackamore Road Improvement Project, endorsing option two, and pay half of the cost up to the not-to-exceed cost described in the scope of services in the amount of \$24,000 with WSB to request authorization and payment of the remaining \$24,000 from the City of Corcoran.*

*A roll call vote was performed:*

<i>Cavanaugh</i>	<i>aye</i>
<i>Reid</i>	<i>aye</i>
<i>Albers</i>	<i>aye</i>
<i>DesLauriers</i>	<i>aye</i>
<i>Martin</i>	<i>aye</i>

***Motion passed unanimously.***

**IX. CITY ADMINISTRATOR REPORT (8:32 p.m.)**

**A. Future Fire Service Planning Update**

Johnson advised that the most recent meeting was held on February 11<sup>th</sup> with all cities sending at least one representative. He stated that Orono is interested in having its own Fire Department and is not interested in having Long Lake provide service once that contract expires according to their Mayor. He noted that a Corcoran City Council Member stated that they are not interested in a Fire Service District. He noted that the remaining cities in attendance are willing to attend the March meeting and continue to review options for joint fire services. He thanked the City Council for its work on the Hamel Contract as presented on the Consent Agenda. He noted that Maple Plain is currently reviewing the amended agreement.

Martin noted that the Mayor of Corcoran has stated that he will attend the March meeting.

**X. MAYOR & CITY COUNCIL REPORTS (8:35 p.m.)**

Martin commented that she and Cavanaugh attended a presentation from Interfaith Outreach related to affordable housing the previous week and advised that Johnson circulated the materials from the meeting. She recognized the efforts that other members of the Council have been involved with related to their liaison positions.

Martin congratulated Nelson on his appointment by Hennepin County to represent small cities on its Criminal Justice Coordinating Committee.

Scherer reported that the City received eight applications for the Public Works position noting that interviews will be held later this week for five of those applicants. He was hopeful that the City would find the right candidate.

**XI. APPROVAL TO PAY THE BILLS (8:37 p.m.)**

*Moved by DesLauriers, seconded by Cavanaugh, to approve the bills, EFT 005819E-005833E for \$59,037.00, order check numbers 051254-051303 for \$147,856.61, and payroll EFT 0510800-0510832 for \$57,344.97.*

*A roll call vote was performed:*

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

***Motion passed unanimously.***

**XII. ADJOURN**

*Moved by Cavanaugh, seconded by Reid, to adjourn the meeting at 8:39 p.m.*

*A roll call vote was performed:*

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

***Motion passed unanimously.***

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Kathleen Martin, Mayor

Attest:

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Jodi M. Gallup, City Clerk