

MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 2, 2021

The City Council of Medina, Minnesota met in regular session on March 2, 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 due to the ongoing pandemic and provided instructions on how members of the public can participate.

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 February 16, 2021 Work Session City Council Meeting Minutes

Martin noted that Johnson distributed proposed changes as submitted by Martin.

Moved by Martin, seconded by DesLauriers, to approve the February 16, 2021 work session City Council meeting minutes as amended.

Further discussion: Johnson noted that Batty is listed at this meeting and the February 23rd work session and should be removed from both.

A roll call vote was performed:

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

Motion passed unanimously.

B. Approval of the February 16, 2021 Regular City Council Meeting Minutes

Martin noted that Johnson distributed proposed changes as submitted by herself and DesLauriers for incorporation.

Moved by Martin, seconded by Cavanaugh, to approve the February 16, 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.

C. Approval of the February 23, 2021 Work Session City Council Meeting Minutes

Martin noted the change to reflect that Batty was not present at the meeting. She stated that Johnson distributed proposed changes as submitted by Martin for incorporation.

Moved by Martin, seconded by Reid, to approve the February 23, 2021 work session 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 (7:08 p.m.)

- A. Approve Temporary Liquor License to Wildlife Rehabilitation Center of Minnesota at 3000 Hamel Road on August 14, 2021**
- B. Approve Ball Field Rental Agreement with Orono Baseball Association**
- C. Appoint Nick Zumbusch to the Position of Public Works Maintenance Technician**
- D. Resolution No. 2021-13 Granting Extension of Time to Request Final Plat Approval for Adams Subdivision; Amending Resolution No. 2020-20**
- E. BWSR Watershed-Based Implementation Funding Grant Agreement for Wolsfeld SNA Ravine Stabilization**

Reid referenced item E and asked if the Friends of Wolsfeld Woods have been involved in the item or were aware of the details.

Finke replied that members are aware but was unsure if there has been formal interaction with the group.

Reid stated that she would be concerned as the primary stakeholder would be Friends of Wolsfeld Woods. She stated that she communicated with someone from the

organization that was not aware of the details. She believed that organization should be brought up to date on the details.

Finke stated that he believed the project suggestion may have arose from that group but agreed that the group should be brought into the process more.

Moved by Cavanaugh, seconded by Albers, 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

Tim Shaw, 2075 Cottonwood Trail, referenced the previous work session discussion and asked for clarification on option five which was adopted. He asked that a summary or details of option five be provided in the minutes for that meeting.

Martin clarified that option five was a “lets think about this” option. She reviewed the different options that were presented and not chosen noting that option five provided additional time for consideration by both the Council and Park Commission before making a choice on the preferred course of action.

B. Park Commission

Park Commissioner Jacob reported that the Park Commission met on February 17th to call special meetings for the Diamond Lake Regional Trail and adopt the 2021 goals. He stated that the Commission also recommended the final Hunter Lions Park master plan, which is before the Council tonight.

C. Planning Commission

Finke reported that the Planning Commission canceled its March meeting.

VII. PRESENTATIONS

A. Fire Department Annual Reports – Hamel VFD and Long Lake FD (7:17 p.m.)

Assistant Chief Mario Fabrizio, Hamel Volunteer Fire Department, presented a summary of the 2020 activity of the fire department including calls for service and categories of calls. He noted that the mix of calls continue to remain consistent year to year. He stated that in 2020 they tied the record number of calls for any single year for Medina. He stated that if the beginning of 2021 is an indication, they could exceed that number this year. He provided details related to response time and the number of firefighters that responded to the calls. He stated that 1900 hours of service were required to service those calls but noted that there were additional training hours as well, totaling

over 1,800 hours. He stated that other support activities totaled another almost 2,000 hours for the department, noting that is lower because of the minimum fund raising and community events. He stated that they cover 76 percent of the population and market value of Medina.

Martin asked what he would consider the impact of COVID on the services provided.

Fabrizio stated that he expected COVID to have an impact with a higher percentage of medical calls. He explained that with people home more, there are more opportunities for accidents and calls. He stated that by and large the mix and type of calls were very consistent with previous years and they did not see a pronounced differential because of COVID. He reviewed details on the service delivery metrics. He stated that the department had the opportunity to save a life in 2020 and also had an opportunity to help start a life, assisting with an in-home birth. He stated that the department also added two new members in 2020. He stated that even though the percentage of medical calls remained consistent with other years, they responded to more calls because of the record number of service calls in 2020. He stated that they also put a new rescue vehicle in service during the past year. He noted that 14 policies were created or modified as the department continues to look for ways they can better respond and be more efficient. He recognized the shifting recommendations throughout the year and noted that they spent a lot of time trying to process that information and apply it to the response protocols. He noted that they modified their COVID response protocol no less than five times during 2020 which helped to prevent the spread of contagion.

DesLauriers congratulated the department on the new hires and asked if that is a net gain of two members.

Fabrizio replied that it was a net gain of one member as one member was lost in August.

Cavanaugh expressed appreciation for the hard work.

Albers thanked the Hamel Fire Department for its service.

Martin thanked Fabrizio for the report and extended thanks to the members of the department.

Chief James Van Eyll, Long Lake Fire Department, reviewed leadership changes that occurred during the past year and the years of service for the 40 members of the department. He reviewed the call activity for 2020, noting a decrease of ten percent from 2019 and provided data on the different types of calls received. He provided additional details on the auto aid that the department provides and receives, noting that typically aid is called upon in order to share equipment each department has. He reviewed details on response time and responders per incident, as well as call hours per city serviced and compared to the previous year's data. He recognized some of the top responders for the department for each station. He also recognized some of the milestones of the past year. He stated that typically the highest call months are the summer months but noted that in 2020 the highest call months were August, January, and February. He provided details on community events and the hope for 2021 events.

Reid commended the department for its work.

Cavanaugh appreciated all the hard work.

Albers echoed the comments of thanks and appreciated the great leadership.

DesLauriers appreciated the detail and appreciated the use of the station for the fire district discussions.

Martin expressed thanks to the departments that serve Medina and its residents.

B. Hennepin County Commissioner Kevin Anderson (7:48 p.m.)

Hennepin County Commissioner Kevin Anderson thanked the Council for allowing him to speak tonight. He stated that he was recently elected and wanted to introduce himself. He stated that he is a Maple Grove resident and serves the western suburban communities in Hennepin County. He provided details on his committee assignments and noted that he wants to ensure that smart investments are made for infrastructure. He stated that he is also looking to expand and provide better broadband service in western Hennepin County. He stated that he is also focusing on homelessness and homelessness of veterans. He also welcomed input from the City on needs in the community noting that he will act as a partner to the communities.

Martin welcomed Anderson to his position. She agreed that broadband is an issue in Medina, noting there are gaps in the community and the current provider does not seem committed to addressing those gaps.

DesLauriers thanked Anderson for his service.

Albers congratulated Anderson on his election win, noting that he looks forward to working with him.

Cavanaugh echoed the comments of thanks and congratulations.

Reid thanked Anderson for keeping Medina in mind when these issues come forward.

Martin asked that Medina be included on an email or mailing list. She stated that she appreciated the fresh outlook and energy that Anderson will bring to the position.

VIII. NEW BUSINESS

A. Ordinance No. 669 Amending Regulations Pertaining to Stormwater Management; Amending Chapter 8 of the City Code (7:55 p.m.)

Finke stated that his report provides general information related to stormwater and the general actions the City takes. He stated that one aspect would be related to regulating the implementation of permanent BMPs at the time of construction for certain properties. He stated that the City can implement stormwater ponds and infiltration basins with construction projects in order to improve water quality. He stated that various agencies are involved in stormwater management standards that pass down mandates to the City for implementation. He stated that this discussion started before those new standards were approved, therefore additional amendments may be needed later in the year. He stated that watershed districts also have requirements for stormwater management that development projects must comply with. He noted that in some instances the City standards are more stringent than those required by other agencies. He stated that

historically the City has been a leader in stormwater management and as the requirements have evolved over time, things are becoming more standardized between State agencies and watersheds and the City, although the City remains more stringent in some areas. He reviewed the City standards for stormwater improvements related to development in terms of rate and volume control. He stated that volume control is often difficult to achieve in Medina because of the tight clay soils and high-water table, therefore the City grants credits for other types of activities that provide benefit in terms of slowing down water or improving water quality. He stated that the main amendment to this ordinance focuses on the threshold of when the City requires stormwater management for a site. He stated that larger scale projects will trigger the construction of stormwater requirements through the other regulating entities. He stated that the City becomes more stringent on smaller scale projects, noting that the City triggers stormwater improvements at a much lower threshold of 5,000 square feet of hardcover or 14,520 square feet for lots with a smaller percentage of hardcover such as a rural lot. He stated that because the threshold is lower the City implements stormwater improvements when other agencies would not. He stated that since the threshold was enacted it seems that the requirements are triggered more often on rural properties with a lower percentage of hardcover than intended. He stated that on a rural property, the driveway and home could trigger stormwater improvements when the overall percentage of hardcover is at five percent of the lot. He noted that various options were discussed in detail within the report, but the Planning Commission recommended placing the threshold at one acre of hardcover for a lot that has under 20 percent hardcover. He noted that there were other technical changes proposed that were detailed within the staff report. He noted that the Planning Commission held public hearings in January and February with a fair amount of discussion on this topic and ultimately was comfortable increasing the threshold on low percentage of hardcover lots. He noted that there would be language included that would allow the City Engineer to require improvements if the new hardcover drains to sensitive areas, such as wetlands or ravines. He stated that following the Planning Commission review staff considered a situation in which a property owner may break up projects over multiple years to avoid the improvements, and therefore language was added to address that type of situation.

Martin stated that she submitted suggestions to staff and asked staff to review the edits that she suggested that are supported by staff.

Finke provided an overview of the proposed changes by Martin.

Martin acknowledged that most of her suggestions were grammatical in nature.

Albers referenced the statement that the City Engineer could grant deviations and asked if that would open up opportunities for the ordinance to be challenged.

Martin stated that perhaps a fourth element should be added that the determination must be compliant with State law, therefore statutory requirements are not diminished.

Albers agreed that language would help to strengthen the statement. He pointed out another example of "in their professional judgement" and asked if that would open up interpretation.

Martin noted that the statement related to State law would help to strengthen that language.

Batty agreed with those comments. He stated that in regard to the use of “in their professional judgement” that statement is used throughout the ordinance and therefore he does not have concern with that.

Reid commented that it seems that staff and the Planning Commission spent a lot of time going into detail on these amendments and therefore she is comfortable with the revisions as proposed.

DesLauriers agreed that the Planning Commission did a thorough review and supports the revisions.

Moved by Martin, seconded by DesLauriers, to adopt Ordinance No. 669 Amending Regulations Pertaining to Stormwater Management; Amending Chapter 8 of the City Code with the additions recommended by Martin and clarification that the City Engineer’s professional judgement cannot exceed the boundaries of State law.

A roll call vote was performed:

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

Motion passed unanimously.

1. Resolution No. 2021-14 Authorizing Publication of Ordinance No. 669 by Title and Summary

Moved by DesLauriers, seconded by Albers, to adopt Resolution No. 2021-14 Authorizing Publication of Ordinance No. 669 by Title and Summary.

A roll call vote was performed:

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

Motion passed unanimously.

Martin commended City staff and Batty for their excellent ability to draft ordinances.

B. Hunter Lions Park Master Plan (8:21 p.m.)

Johnson stated that the Park Commission worked closely with staff and WSB to complete the Master Plan for Hunter Lions Park in a phased manner that will allow Public Works to complete some of the work at a lower cost to the City.

Gallup stated that one of the 2020 goals for the Park Commission was to complete a Master Plan for Hunter Lions Park to replace aging equipment and infrastructure. She

noted that the tennis court is beyond its useful life and therefore they took this opportunity to determine if this was the best layout for the park. She stated that three potential layouts were created to solicit public input. She stated that the Park Commission recommended that the Master Plan be adopted and be completed over the next several years in phases. She reviewed the existing layout for the park and highlighted similarities and differences between the existing layout and the Master Plan. She provided details on the different phases proposed. She stated that if phase one moves forward first, the basketball court would be lost until phase three is completed. She stated that moving forward on phase two would not impact the other existing elements of the park. She stated that they would like to focus on phase two and would then consider how the other phases could move forward in the future when additional funding is known and available. She stated that high level cost estimates were included in the packet as estimated by WSB. She believed that the costs could be reduced substantially by utilizing public works and reviewing the details of each phase in more detail as they come forward. She noted that park dedication funds would be used to complete phase two of the project. She stated that the Park Commission recommends that the Council adopt the Master Plan for the park and begin implementation of phase two utilizing Public Works resources to reduce costs.

Scherer clarified that the municipal park fund would be used rather than park dedication. He displayed a chart identifying some potential reductions that could be gained by using Public Works.

Albers asked if there would be lighting proposed.

Gallup commented that there is not lighting proposed at this time.

Albers asked if utilizing Public Works staff would take away from their other responsibilities.

Scherer recognized that there is only so much time, which is why the phasing was broken out over several years. He reviewed the progress that could be made on phase two this year, noting that even phase two would be stretched over more than one year. He commented that they can move dirt with the equipment they have and use snow plowing equipment to haul the dirt, which is a great way to utilize the department's equipment. He recognized that there is a tall schedule this year because of projects that were delayed last year but believed there were adequate resources.

Reid commented that this seems like a well thought out plan and great utilization of City resources and staff. She believed that the Council should adopt the recommendation of the Park Commission.

DesLauriers agreed that the Park Commission and WSB did a great job creating this plan and believed it will service the needs moving forward. He referenced the municipal park fund and asked if that is the fund that was created two years ago for replacement of assets.

Scherer confirmed that to be true.

Barnhart stated that currently \$112,000 per year is funded into the account from the property tax levy.

DesLauriers referenced the statement that the tennis and pickleball courts are in demand and suggested that perhaps the courts at another park location are not leased in the future.

Gallup commented that the reason those are a more urgent need is because of the disrepair of the tennis court at this park. She stated that the tennis courts leasing at Hamel Legion provides a recreational activity during certain daytime hours and still provides ability for the public to use them. She commented that pickleball courts are increasing in demand.

DesLauriers commented that the ballfield would most likely be impacted by the project and asked if that could move forward with this phase in order to just do them at the same time.

Scherer stated that he would most likely come in from the trail. He recognized that something will be disturbed but he will try to minimize the disruption. He did not think there would be enough time and resources to move the ballfield in conjunction with this project.

DesLauriers stated that he spoke with someone from HAC who stated that as long as they have 150 feet, they can utilize the field for practices. He commented that it would be nice to have a solar light to light the pathway road crossing to the park.

Scherer stated that was not part of the plan, but he did receive a comment from a resident earlier this week. He stated that he will talk with Chief Nelson to determine the best method to keep traffic moving and keep people safe. He noted that he has only received the one comment/complaint.

Cavanaugh commented that this is great planning and utilization of staff.

Martin asked if the plan could be manipulated to maximize winter use of the park as well, such as installing hockey boards for a winter rink.

Gallup commented that was not discussed in the plan and was unsure there would be space for that.

Scherer commented that most cities that have boards leave them up as a designated rink year-round as it takes a toll on the fields.

Martin referenced the Bob Mitchell Memorial Park Fund which had an initial contribution of \$250,000. She asked for the current fund balance. She recognized that the Lions Club has perhaps made contributions to the park and therefore that name could most likely not be changed. She stated that perhaps in the future it would make sense for the Park Commission to discuss how that fund could be used in an impactful way to complete a major park improvement that would include naming rights.

Johnson stated that the fund was setup in a way that the City can only use the interest earned. He anticipated an update fund balance in March.

Martin stated that perhaps the foundation could be approached to determine if the family could reverse that directive. She commented that perhaps the family would be interested in naming a park improvement after Mayor Mitchell if those funds could be used for a larger project. She recognized that this would not be the right project but believed the suggestion should be looked into further as a potential option for the future.

Barnhart commented that the current spendable allowance is just under \$10,000 and provided the updated balance.

Johnson noted that he and Barnhart will follow up with the Minneapolis Foundation.

Albers referenced the access to and from the parking lot and asked if there should be turn lanes coming in and out of the park to prevent problems with vehicle stacking.

Scherer commented that he would imagine that those elements were thought out when Hunter Road was redone in conjunction with the Enclave developments.

Moved by DesLauriers, seconded by Martin, to adopt Hunter Lions Park Master Plan and recommend beginning implementation of phase two (tennis and pickleball courts) utilizing public works resources to reduce costs.

A roll call vote was performed:

*DesLauriers aye
Matin aye
Reid aye
Albers aye
Cavanaugh aye*

Motion passed unanimously.

IX. CITY ADMINISTRATOR REPORT (8:54 p.m.)

Johnson had nothing further to report.

X. MAYOR & CITY COUNCIL REPORTS (8:54 p.m.)

DesLauriers reported that another fire service district meeting will be held on March 11th.

Reid reported that the Uptown Hamel Business Association has still not met and noted that she may attempt to schedule in person visits with the members individually to introduce herself.

Martin thanked the Council for their different areas of expertise and the points of view they bring to the discussions.

XI. APPROVAL TO PAY THE BILLS (8:57 p.m.)

Moved by DesLauriers, seconded by Reid, to approve the bills, EFT 005834E-005849E for \$59,829.25, order check numbers 051304-051335 for \$123,116.43, and payroll EFT 0510833-0510860 for \$53,456.68.

A roll call vote was performed:

Albers aye
Reid aye
Cavanaugh aye
Martin aye
DesLauriers aye

Motion passed unanimously.

XII. ADJOURN

Martin commented that it is unbelievable to think that the Council has been meeting virtually for one year. She recognized that some people have come in contact with the virus and have come through healthy. She hoped that continues to be true for residents of Medina but recognized that some have been lost to the virus, including Fred Weber. She urged everyone to continue to practice personal precautions.

Moved by Cavanaugh, seconded by DesLauriers, to adjourn the meeting at 9:00 p.m.

A roll call vote was performed:

DesLauriers aye
Albers aye
Cavanaugh aye
Reid aye
Martin aye

Motion passed unanimously.

Kathleen Martin, Mayor

Attest:

Jodi M. Gallup, City Clerk