

MEDINA CITY COUNCIL MEETING MINUTES OF JUNE 1, 2021

The City Council of Medina, Minnesota met in regular session on June 1, 2021 at 7:00 p.m. in the City Hall Chambers. Mayor Martin presided.

Martin read a statement explaining that the meeting continues to be held in a virtual environment because of the ongoing pandemic. She stated that the remainder of meetings in June will be held virtually and in person meeting attendance will resume in July. She reviewed the 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 (7:04 p.m.)

The agenda was approved as presented.

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

A. Approval of the May 18, 2021 Work Session City Council Meeting Minutes

Moved by Martin, seconded by Albers, to approve the May 18, 2021 work session City Council meeting minutes as presented.

A roll call vote was performed:

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

Motion passed unanimously.

B. Approval of the May 18, 2021 Regular City Council Meeting Minutes

Martin commented that prior to the meeting Johnson circulated proposed corrections to the minutes from herself and Cavanaugh. She noted that she and Cavanaugh spoke prior to the meeting and decided to move forward with the changes as she proposed.

Moved by Martin, seconded by Cavanaugh, to approve the May 18, 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 (7:07 p.m.)

- A. Accept 2020 Annual Financial Report**
- B. Approve 2021-2022 Liquor License Renewals**
- C. Approve Job Description, Recruitment, and Hiring of Planning Intern Position**
- D. Ordinance No. 673 Amending Police Regulations Pertaining to Gambling; Amending Section 315 of the City Code**
- E. Resolution No. 2021-32 Authorizing Publication of Ordinance Amending Police Regulations Pertaining to Gambling; Amending Section 315 of the City Code by Title and Summary**
- F. Resolution No. 2021-33 Approving State of Minnesota Joint Powers Agreements with the City of Medina on Behalf of its City Attorney and Police Department**
- G. Approve Court Data Services Subscriber Amendment to CJDN Subscriber Agreement**
- H. Resolution No. 2021-34 Requesting Funding from the Hennepin County Business District Initiative and Corridor Planning Program**

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

A roll call vote was performed:

Albers aye
Reid aye
DesLauriers aye
Cavanaugh aye
Martin aye

Motion passed unanimously.

VI. COMMENTS (7:09 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer commented that the Park Commission discussed the regional trail, which the Council will be discussing tonight. He stated that the park tour is scheduled for June 30th.

C. Planning Commission

Finke reported that the Planning Commission canceled the June meeting.

VII. NEW BUSINESS

A. Diamond Lake Regional Trail Concept Plan (7:12 p.m.)

Martin summarized the discussion and public input that has occurred prior to tonight's meeting and thanked everyone who has participated thus far in a respectful manner.

Johnson reviewed the alternate route that is being considered, noting that with a vote of 4 to 3, the Park Commission recommended not to include a route through Medina.

Finke provided a brief overview noting that this discussion has been ongoing for the past year for this planning process. He noted that completing this planning process on the front end of the project, allows for segments of the trail to be acquired as opportunities arise over the next 20 to 30 years. He stated that the first three alternatives that were reviewed were not supported by the Park Commission or City Council. He stated that further direction was given to explore a route through the northern portion of the City to Baker Park. He stated that Three Rivers Park District is looking for support from a City Council on any route that would go through that municipality. He stated that the City indicated that it would not be interested in eminent domain and Three Rivers Park District indicated that they only work with willing sellers and/or through park dedication.

Martin asked if there would be an impact to current property owners if there is a commitment not to use eminent domain and if Three Rivers Park District only works with willing sellers.

Finke clarified that the question would be related to whether there would be impacts to property values if there is a trail corridor identified.

Martin asked why it is important to Three Rivers Park District for the City to endorse a trail corridor if eminent domain is not going to be used and the plan would be to acquire trails through redevelopment opportunities or willing sellers.

Finke stated that ultimately when there is acquisition, even with a willing seller, Three Rivers Park District would need approval to acquire the property. He explained that the planning process provides that endorsement on the front end, rather than the District attempting to seek approval for acquisition out of the blue in the future.

Batty confirmed that even in the case of a voluntary acquisition, the City must consent to that acquisition by the Park District under State law.

Martin asked if the City approval of a corridor would memorialize that support and not require the Park District to return to the City for approval of each acquisition.

Batty stated that in his experience the Park District would want general approval of a route because of the work that is necessary to acquire the trail segments over a decades long process. He stated therefore the Park District wants general support ahead of that long process to ensure there will be support for the trail corridor by the municipality.

Finke stated that City staff and Three Rivers Park District completed additional public engagement sessions notifying properties within a certain distance of the two proposed routes in order to gain additional input. He noted that both routes identified a crossing of

Highway 55, likely a pedestrian overpass. He stated that the comments received thus far were provided within the packet. He stated that the Park District is asking the City for a decision, as this additional engagement session has added a few months to the process. He noted that the Park District would like to wrap up the Master Plan process in order to continue to work with other communities. He stated that if Medina does not support a route, the Park District would work with neighboring communities to identify a corridor that would bypass Medina.

Stephen Shurson, Three Rivers Park District, stated that District began this planning process about 18 months ago, attempting to work with six communities to identify a north/south route through the communities. He stated that the routes in southern Medina were not supported and the Park District was asked to look at the alternate route across Highway 55 and to Baker Park. He stated that if Medina does not support a route, the Park District would work with surrounding communities to identify a route that would bypass Medina.

Stewart Crosby, SRF, displayed a map identifying the overall corridor through the multiple communities. He stated that tonight they will focus on the segment along Hamel Road and displayed different concepts. He identified some of the potential challenges for the different trail segments.

Shurson reviewed the different methods of outreach and engagement that has been completed. He also provided a summary of the comments received noting that there was more support along the northern portion and more opposition along the Hamel Road segment. He reviewed the themes of the comments received both in support and opposition. He stated that the majority of Hamel Road property owners were in opposition of the trail, regardless of the location and whether it was within the road right-of-way because of concerns with loss of privacy, security, and a sense of being burdened unfairly. He reviewed the total cost estimate of \$17,000,000 for the Medina trail route, which would include an overpass for Highway 55 and the work within Baker Park. He noted that 74 percent of the input received from those not living along Hamel Road were in support of the trail and viewed the trail as an asset for the community and an additional recreation opportunity. He stated that connection to other parks, trails and recreation was an important theme for those that did not live along Hamel Road, along with the pedestrian crossing of Highway 55. He commented that there is a clear difference in the points of view from residents, noting that the majority of residents along Hamel Road are opposed to the trail while those that do not live on Hamel Road are in support of the trail.

Finke stated that the Park Commission discussed the results of the engagement, along with the two alternative routes and with a vote of 4 to 3, the Commission did not support a route through Medina at this time. He stated that two youth members spoke favorably about the trail corridor but are non-voting members.

Albers asked the total length of the trail through Medina as proposed.

Shurson replied that the length through Medina would be about 6.5 miles.

DesLauriers commented that it appears a lot of progress has been made. He noted that for a north/south route it appears the trail would travel west a good distance before heading south and asked if that is typical.

Shurson stated that the routes through the other communities have been supported and Medina is the only area where an alternative route was asked to be considered.

Albers asked if Orono and Long Lake approved routes or passed.

Shurson stated that in light of the change of direction in Medina, the Park District held off on requesting approval from Orono. He stated that when they met last with Orono, a route was not approved. He stated that they are exploring additional public engagement in both Orono and Long Lake. He stated that if Medina said no to a trail within the city, the Park District would still commit to a regional trail that would connect Baker Park to Wayzata and through the other communities.

Cavanaugh asked if Baker Park would still be the destination from the north, even if the other communities do not approve a corridor.

Shurson stated that they would reengage with Corcoran and Plymouth and most likely end the trail corridor near the high school to provide connection to other trails.

Cavanaugh asked if Medina approves the trail, and Corcoran does the same but Long Lake and Orono do not approve the trail, would the trail still connect to Baker Park.

Shurson confirmed that to be true. He stated that it is important to have a good regional terminus to the trail and the park reserve would be the logical terminus to the trail.

Kelly Grissman, Three Rivers Park District, stated that everything north of Baker Park Reserve would have one name while everything south of Baker Park Reserve would have a separate name to avoid confusion for members of the public even though it is currently being planned as one corridor.

DesLauriers stated that the master trail plan is related to the Lake Sarah Regional Trail search corridor and asked if that is connected to this planning process.

Shurson replied that the area along Hamel Road would serve as a common segment between the two trails. He noted that it is not uncommon for two trails to run the same length in a certain area and then split off again because of site constraints.

Martin referenced the map where resident support or opposition was shown in different colors. She asked if a property could show multiple comments from different members in the home.

Shurson explained that each pin in the map represents a comment received and therefore one person could have provided multiple comments and then be shown as multiple pins. He confirmed that there was no limit on the number of comments one person could provide. He noted that the value of the map was to show where the concerns were located geographically. He noted that the lower chart shows unique property input.

Martin asked if this trend is similar in other trail planning, as to whether properties directly adjacent to the trail oppose the trail while those not along the trail support the concept.

Shurson stated that in general that may be true but noted in his experience they do not see this type of discrepancy in property owners. He stated that the Fields of Medina residents would be more than happy to have a trail in front of their property.

Martin commented that she could see that there would be appreciation in more densely populated areas and asked if there is similar opposition in more rural areas.

Grissman stated that the reality is that every community is different, noting that some communities put a higher value on trails than others. She stated that Dayton is experiencing a lot of development and therefore are supportive of regional trail corridor whereas a community such as Greenfield may have more strong opposition to regional trail planning. She stated that they approach each community different and attempt to let the engagement process play out. She stated that the Three Rivers Park District Board attempts to balance the broader public interest for public trails along the entire corridor, whereas the segments in municipalities focus on the more direct impacts to their property owners. She stated that is why they like to partner with municipalities to ensure that a corridor is found that can be supported.

Martin allowed members of the public to make comments.

Chris Peterson, 4130 Fescue Drive, stated that he has spoken with many people in his neighborhood and others with young families. He noted that at times it seems the loud opposition of some that do not want something "in their backyard" trumps the silent majority of residents that support something. He stated that if this position were adopted in other situations the communities would not have the amenities of other regional trails such as the Luce Line. He stated that in speaking with other residents, most were surprised that organization would be needed to support a trail corridor that would be funded by the County and provide a safe way for families to cross Highway 55. He stated that Uptown Hamel would also benefit from the pedestrian traffic that the trail could bring through. He stated that there needs to be a long-term vision for this community, and someone will eventually have to fund a pedestrian overpass of Highway 55. He stated that concerns with crime are rhetorical methods to institute fear. He stated that he speaks for the silent majority of families that support the regional trail corridor and the benefit that it will provide to the future generations of residents in Medina rather than the few pockets of generational wealth that speak in opposition.

Cindy Piper, 1745 Hunter Drive, commented that she is concerned with the concept of eminent domain and asked whether properties would be taken through eminent domain. She stated that the current schematic shows a larger right-of-way than is currently available and asked how that would be obtained. She stated that if the City accepts the concept, would that mean that all the property along Hamel Road would need an easement for the trail.

Shurson stated that the majority of the right-of-way width for Hamel Road is 66 feet and it would be their intention to build the trail within that section outside of the roadbed, inside the road right-of-way. He stated that if there were topography that would require additional space to construct the trail, the additional width would be variable depending upon the conditions and would be done through an easement rather than a purchase of property.

Martin commented that an easement is most likely purchased, but the property owner would remain fee title owner of the property.

Batty commented that if there is a general alignment of the trail, the Park District would attempt to make the best use of existing right-of-way and easements to avoid having to purchase additional property. He noted that only in situations where additional land would be needed, would a private property owner need to be approached and the Park District would only work with willing property owners.

Martin commented that if the City were to approve the trail corridor, that does not equate to a taking of anyone's property or provide for easements. She stated that it is simply used for the planning purpose and as willing property owners come forward, the City would simply approve that acquisition.

Batty confirmed that the City is only being asked for general approval of an alignment for a corridor that could then be included in the Master Plan for the Park District and it would then be up to the Park District as to whether it would like to move on to do the work to attempt to gain the acquisition and construct the trail. He stated that the involvement of the City would be to consent to acquisitions, should those come forward.

Martin asked for clarity on the amount of right-of-way available along Hamel Road.

Shurson commented that the minimum width of right-of-way along Hamel Road is 66 feet and the 30-foot roadway sits within that.

Finke stated that to the best of his knowledge the platted right-of-way along Hamel Road is not consistent, noting that there are a number of properties that do not have rights-of-way platted while more recently subdivided parcels have wider right-of-way dedicated.

Martin asked it is known where the right-of-way is available.

Crosby commented that there are several areas where the property is underlying under the road. He commented that even where the right-of-way is available there are other factors that may require additional easement, it would just depend on the existing conditions related to drainage and topography. He stated that he would be happy to look at more specific properties.

Martin commented that it would be interesting to know which properties would require additional easement and where the trail could fit within the existing right-of-way.

Crosby stated that for the master planning level they do not go down to that detail, as that comes forward in the design development process.

Albers commented that may be an important factor in the decision of Medina. He stated that to have some level of information around that would be helpful.

Martin commented that she would believe a quick review of the available right-of-way could be done to provide a rough estimate.

Crosby commented that even where right-of-way is available, they are not able to determine the impact in that area because of the existing conditions in that area. He

noted that would come forward in the design development stage, where they delve into those details.

Albers commented that he would believe a high-level estimate could be done using topographical maps to provide an estimate of potential impact.

Dan Strand, 1985 Hamel Road, asked if there are any members of staff, the Park Commission or City Council that own property along the corridor. He stated that he would also like to know more about the curb and gutter mentioned and where that excess water would drain. He stated that he would prefer to let the 74 percent of people not on Hamel Road to develop a trail that would run west along 19 which would provide a direct path to Baker Park. He asked if there is anyone on staff, the Park Commission or City Council own property that would be impacted by the overpass. He stated that when people from the city move to a rural community like Medina, they want to bring those things they are used to, like trails, which are not wanted in the rural areas. He stated that if people do not like the rural character, they should move somewhere else. He stated that this trail would bring many more people through the rural area of Medina and believed that the City should wait and that a better corridor could be identified in 10 to 20 years.

Martin commented that the community vision as outlined in the Comprehensive Plan speaks to enhancing the quality of life for all residents. She acknowledged the issue of the physical divide Highway 55 creates and therefore the City has looked to foster safe neighborhoods and places of recreation for all residents. She stated that she worries about stumbling into the discussion of why there are more dense areas of development as feelings can be hurt. She stated that the City has been very fortunate to have the wealth of the tax base created by the denser development and acknowledged that is a different feel than the rural area. She stated that the Council continuously struggles with balancing the needs of all residents, whether they own 20 acres or half an acre. She stated that the Council strives to do something of value for the entire community and not just those that live in the rural area. She stated that she is not aware of where everyone lives, but there are rules that apply to whether someone has a conflict of interest and the members have been forthcoming in discussions when they own property that would be impacted and result in a conflict of interest.

Cavanaugh commented that his family farm is along part of the route and he discussed that with Batty to ensure there were no conflicts of interest.

Batty agreed that he had a brief discussion with Cavanaugh and the main reason he does not believe there is a conflict is because this is not a City project and is the project of another governmental entity. He stated that whether this project moves forward will be the decision of the Park District as to whether it would like to pursue the long process of attempting to acquire property and construct the trail which could take decades.

Martin asked if the trail would run through two watersheds or just one.

Finke stated that the trail could hit all three watersheds but would predominantly fall within Elm Creek.

Martin noted that the plans would then need to be approved by multiple agencies in terms of water management.

Crosby stated that they would work with up to three different watershed entities and would follow their regulations along with State regulations. He stated that stormwater ponds or basins may be required to pretreat the water before it is released into creeks or waterways, or there may be areas in which the water could be released into ditches. He commented that they would ensure that they are not releasing polluted water into streams or waterways.

Mark Smith, 1952 Chippewa Road, stated that he has never been contacted by anyone regarding his property related to this trail. He stated that the first time he was made aware of the trail corridor that comes across his property was last week when Cavanaugh called him to discuss the potential route across his property. He noted that the potential route would impact five or six single-family homes and block views of other homes. He stated that he has always considered the park that will be constructed on his property as a neighborhood park and not a regional park. He commented that he does not see value in the western route. He stated that perhaps the eastern route would provide value to the school and would provide a safe crossing of Highway 55. He stated that the blue dots on his property were not submitted by him.

Martin noted that the western crossing would go through the wooded area.

Smith agreed that the crossing would impact the woods that they have committed to preserving and therefore this would be the worst location for a pedestrian crossing and regional trail. He stated that he would have less opposition along Arrowhead and in the northern area of Chippewa but would oppose the southern portion of Chippewa which would impact single-family lots on his property.

Martin commented that it would appear the dots shown in support on Mr. Smith's property are false readings.

Finke stated that this map is a map in which anyone could place comments along the entire corridor and not related to land ownership.

Shurson commented that 51 of the 61 total comments were from people that identified as being from Medina. He noted that the land on the map is still to be considered as conceptual and advised that the exact alignment would be determined further down the road in the design development phase. He stated that they work with developers or properties in an attempt to partner and find something that works with an overall layout and design for development.

Martin commented that the map then reflects the sentiment of residents in Medina as to whether they would like to see the trails rather than the existing property owners along the corridor. She noted that a specific table in the written materials identifies the comments from the property owners.

Smith noted that it seems like a flawed system as people along the eastern route could have identified favor for the western route in order to avoid their property. He stated that although the comment was made that the exact alignment would not be known, the trail would need to be built into the wetland in order to avoid the lots on his property. He confirmed that he does not feel he was engaged in this process and does not support the western route.

Shurson stated that the property was marked in blue based on comments with Medina staff. He confirmed that he did not have personal contact with Mr. Smith but was relying on communications between Smith and City staff.

Cavanaugh commented that those would be suburban lots in the development on Smith's property and asked if the intention would be to go through the highland on the property or have a boardwalk through the wetlands.

Shurson stated that they would be prepared to utilize boardwalks to go through wetlands and would work with the developer to ensure saleable property is not impacted. He stated that the bridge could come across Highway 55 and land at the edge of the wooded area and then boardwalk would be needed to go through the wetland.

Smith stated that he appreciates the information but has not changed his position.

Carol Schimnich, Sauk Rapids resident that owns the property at 1182 Highway 55, stated that in October 2020 the City approved the Highway 55 Tamarack Road Study. She stated that her biggest concern with the easterly route would be with the dangerous intersection because of the commercial traffic. She stated that the Jubert family did a complete park dedication with Fields of Medina and therefore has no further park dedication obligation requirements for the remainder of their property.

Martin summarized that along the easterly route, there is land owned by the Jubert family that has already satisfied park dedication for their entire parcel through the Fields of Medina.

Schimnich stated that a concrete crossover should be installed at Highway 55 and Tamarack as part of that intersection improvement. She stated that there will be a roundabout north on Tamarack and that will be a very congested area and could create danger for pedestrians.

Finke confirmed that the park dedication for the Jubert property was met through Fields of Medina. He noted that there is a City trail anticipated along the Tamarack corridor regardless of whether the regional trail moves forward. He stated that part of the thought is that the overpass would be a safety improvement for the Highway 55 intersection.

Martin stated that she reviewed the Comprehensive Plans for 2000, 2010 and 2020 to review the trail map corridors. She stated that there were corridors identified along Hamel Road and north/south along Hunter. She stated that the Hamel Road corridor had been identified as a proposed trail route since at least 2000. She stated that it appears there were also proposed trails going north at Arrowhead and at CR 116, going back to 2000. She stated that these areas seem to have always been identified for proposed trail corridors.

Finke agreed that is correct. He noted that most of these locations are identified for some sort of trail improvement within the City's plan as well. He noted that half of the northern portion is already an existing trail and many of the other segments are included as planned trails within the City's plan. He confirmed that Hamel Road was identified as a bikeable shoulder. He stated that the boardwalk was not identified within the City plan.

Martin noted that her comments were related to whether a property owner would feel that their property values would be impacted by potential trail corridors. She stated that a trail could not come to fruition unless the value or property right has been provided from a willing property owner and therefore, she wondered how many of the properties along Hamel Road owned their properties for the past 20 years when this designation existed. She noted that many trail corridors have been designated for years while properties along those corridors have changed ownership. She asked whether designating a corridor for a potential trail, that would include compensation to property owners, actually impacts property values. She stated that she can appreciate the input of Smith because of the efforts he has put into planning his development and the road construction that he will be doing. She stated that other than that property, she would not see a financial impact to properties that may not develop for a number of years.

Schimnich commented that their park dedication has been completed and the bridge over Highway 55 would take up a fair amount of space on both sides. She stated that the easterly route would impact their property.

Martin commented that the Juberts would be compensated for that property.

Schimnich commented that she believed alternate routes would be a better choice.

Martha Van de Ven, 1765 Medina Road, stated that she hears the comments from the residents north of Highway 55 and appreciates the amenities within Hamel, such as the ballfields. She asked whether the trail could come to Hamel and then go back to CR 30 in Corcoran and to CR 19, as that would provide access to Hamel and not impact residents along Hamel Road.

Grissman stated that at this time they have not explored doing something easterly through Hamel and have focused on the routes the Council asked them to continue to study several months ago. She explained that they were attempting to connect the developed areas of Medina with Baker Park. She stated that routing the trail along CR 30 through Corcoran did not fit that goal. She stated that in terms of serving the Hamel area, she believed there are local trails planned and existing that would help to tie into the regional trail work.

Martin commented that there has been an overarching desire to connect the north and south portions of the community. She asked if the Park District would be willing to think about including Hamel as a destination route if the Hamel Road corridor could not be agreed upon.

Grissman commented that they are looking to connect to the regional facilities and connecting directly to Baker Park provides that opportunity to connect residents of Medina and other communities with that asset. She stated that the smaller local connections would be provided by the local municipalities to create a comprehensive trail system. She stated that if the City is interested in the alternate route, the Park District would allow the City to complete that additional research and provide a recommendation to the Park District. She stated that the Park District has invested significant time and effort in the preliminary engagement work thus far and therefore any additional work in terms of engagement would be the task of the City related to yet another alternate route. She noted that comments of opposition for those directly

adjacent to a corridor would most likely continue to be a trend regardless of the placement.

Jim Lane, 2605 Hamel Road, commented that he urges the City to make a sound strategic decision tonight. He confirmed that he is opposed to the trail.

Martin asked if there would be a trail side that would be more favorable, whether on the north or south side of Hamel Road.

Lane commented that he would be opposed to any trail option along Hamel Road west of Arrowhead Drive because of public safety, interference with the wetlands, and the narrow width of the road and potential impacts to other natural features along the roadway. He did not believe pedestrians would be safe along the Hamel Road corridor.

Martin stated that if the trail were separate from the drive corridor, would he believe the same safety concerns would exist. She stated that she would believe that a separated trail would increase safety for pedestrians compared to those currently walking along the roadway.

Lane replied that he would believe the separation would need to be significant in order to provide safety. He stated that he has walked and rode horseback along the roadway and there has been an enormous increase in Hennepin County truck traffic.

Martin noted that much of those comments would seem to beg for a trail independent of the side of the road to provide a safe and independent space for pedestrian traffic.

Lane stated that he suggested that a Pioneer Trail corridor be considered through the Wood Lake sanitary site. He stated that the better alternative would be to remove the western option and refocus on the eastern option. He stated that there are trail advocates in Corcoran and Plymouth that would support connection and could provide better access to Uptown Hamel. He was unsure why Baker Park would be included if the intention is to connect to Wayzata and Lake Minnetonka.

Martin confirmed that there were no additional speakers from the public and noted that now would be the time for the Council to provide input on the two options being discussed tonight. She asked if there could be a third option to take the trail corridor across Highway 55 and then circle through Uptown Hamel. She recognized the comments from the Park District that they have not considered that third route potential. She referenced the vision of the City to connect the different areas of the community and the value to having a safe crossing of Highway 55. She stated that she is concerned with the potential school being placed on the south side of Highway 55 and having connectivity for the children to have a safe crossing. She stated that she likes the idea of having connectivity to Uptown Hamel and asked the Park District if it would consider removing the Hamel Road option and connecting to Uptown Hamel once the Highway 55 crossing is completed.

Albers stated that one question that has not been asked of the Council is what the City priorities are. He recognized that connecting to Baker Park is a priority of the Park District, but the City should also identify its priorities for this type of trail through the community. He stated that the City has different priorities outside of the connection to Baker Park. He stated that the City does have the goals of providing a safe crossing

over Highway 55 and getting more connection to Uptown Hamel where there are existing City park facilities.

Martin commented that along with those two priorities a third would be to create places of recreation and gathering and enhancing the quality of life for residents. She asked if a trail that reaches Baker Park enhances the quality of life for residents. She stated that would need to be weighed against the impact to those adjacent to the trails, noting that some people using the trail would not be Medina residents. She stated that if the City is not willing to participate in the regional trail, the crossing of Highway 55 would become the responsibility of the City or School District and likely would be delayed many more years.

Albers stated that the third priority would be dependent upon the first two priorities. He believed that the vision for connecting and building the community would be connecting to Uptown Hamel rather than Baker Park.

Cavanaugh commented that he agrees with connecting to Hamel, noting that the City already has a scheduled trail that could connect into this overall trail system. He stated that there is an east/west regional trail planned. He commented that if Medina votes no on this trail corridor, that would close the door for an east/west trail connection that would connect to this regional trail. He noted that this decision would have an impact on the existing and future developments in the north but would also have an impact to Hamel and along Hunter. He stated that if the door is closed on this, that would also close the door on the east/west portion.

DesLauriers asked if it is correct that the Lake Sarah Regional Trail would not go through Medina if this does not go through.

Grissman stated that there are multiple priorities, recognizing that the City has its own priorities, while Three Rivers has regional priorities. She stated that is where the partnership comes through for the regional and local elements to work together to serve both the regional and local priorities. She stated that there are two regional trail corridors that converge in northern Medina. She stated that while there is a western deviation to Baker Park that appears significant in Medina, it is not a significant deviation in the overall trail alignment. She stated that if the trail segment is removed, that would change the direction of the future Lake Sarah Regional Trail corridor search and they would look for alternative routes in other communities as they aim to serve a regional goal. She stated that they are attempting to create a recreational network of trail corridors and loops throughout their overall regional system.

DesLauriers stated that the regional trail has been in the park and trail plan for many years, whereas DLRT has not been formalized and now it would seem that the DLRT is taking precedence over the Lake Sarah trail corridor.

Grissman confirmed that is correct, explaining that there is a lot of development happening in the communities north of Medina and if the trail planning efforts are not underway, the Park District will lose the opportunity to secure the opportunity for trail acquisitions. She stated that there is not a lot of development changes proposed along the Lake Sarah corridor proposed in the next 10 to 15 years, therefore that corridor is taking a lower priority at this time.

Martin recognized that there are many different moving pieces in this puzzle. She stated that personally she is not ready to make a decision and would like to understand the width of right-of-way that exists along Hamel Road currently to provide a general sense of whether additional land would be needed. She stated that would help her understand whether properties would potentially be impacted and how many would be impacted. She stated that there was discussion of existing landowners bearing the brunt of this project, but the Park District would only work with willing sellers and therefore unwilling property owners would not be impacted.

Reid stated that originally, she questioned whether another trail would be needed in Medina, but a number of residents commented on the long-term value to the City. She stated that this also fits with the Park trails plan and provides the needed north/south connection. She stated that Three Rivers would also be paying for the overpass, which would be a benefit to the City. She stated that the Park District would only work with willing sellers and this would not provide approval to construct the trail, but simply to move forward with further planning. She stated that there is already bike and pedestrian traffic along Hamel Road and there is no evidence that bikers cause crime or produce trash. She stated that most studies have shown that adjacent trails do not cause a decrease in property values. She noted that most of the comments from the Hamel Road residents are perceived rather than proven. She stated that the trail along Hamel Road would be a good idea but agreed that it is hard to predict the actual impact to those properties without additional information.

Martin asked if the Council would desire to table this discussion to the next meeting and request that staff and Three Rivers staff review the existing right-of-way and determine an estimate of the amount of additional land that could be needed. She stated that it could be a best guess as there are different road conditions existing on different sides of the road. She also asked if Three Rivers would have an interest in making Uptown Hamel a destination rather than Baker Park.

DesLauriers commented that a lot has changed in the last three to four months with the input of the residents. He believed that a lot of progress has been made by Three Rivers and he would like the trail to cross Highway 55 and go along Hamel Road. He agreed that additional information would be needed. He stated that he would like to eliminate either the western or eastern route to simplify the continued discussion as he believes that is a straightforward decision. He noted that in his opinion the eastern option would be preferred as it would provide the connection to the school property.

Albers echoed the comments of DesLauriers and stated that he would also recommend eliminating the western option and look for a way to move the trail to downtown Hamel.

Cavanaugh stated that he believes there is still some room to explore the western route as that would be a beautiful trail route. He stated that he is not opposed to the eastern route but would like to understand how that overpass would work on the intense corner of Tamarack. He stated that he could see the overpass on the western route and how that could better blend into nature. He stated that most of the people in Fields of Medina could use both the eastern or western routes. He noted that there are a lot of homes in Weston Woods and the adjacent parcels that have development to come that could benefit from the trail. He agreed that it would be appropriate to table the discussion tonight.

Reid stated that she sees advantages in both routes, but with the fact that the eastern route would connect to the school and would be closer to Hamel, she would prefer that route. She agreed that land acquisition would be much easier on the west, but given where the population is gathered, she would prefer the eastern route. She stated that she worked out all her questions related to Hamel Road at this time but was not aware of the activity planned for the Tamarack Road intersection and therefore would like to know more about that. She stated that she is comfortable with using Hamel Road but agreed that it would be helpful to have additional information related to where the right-of-way currently exists.

Cavanaugh commented that there may be a third or fourth option. He noted that there is a narrow strip of land from the western edge of the Fields of Medina that is no longer used and could be a good place to provide a crossing that would avoid the stoplight area. He believed that there is room for the study of different alternatives.

Albers stated that he also noticed that strip of land as an option, if the east side of Tamarack is too busy, to provide that Highway 55 crossing. He noted that the trail could then be run through the trail in Fields of Medina and come down Meander. He stated that the trail could also run-down Chippewa through Meander and through that narrow strip. He stated that there are very few landowners along the strip of land to the landfill property and that may prove easier to work with as acquisition would only be needed from one landowner and reviewed a connection that could be provided through that area.

Martin stated that while that is interesting, she would like input from Three Rivers Park District as to whether they would like to speak to those alternative options.

Grissman stated that the Council has suggested some interesting options, some of which were casually looked at and some of which were not. She stated that regardless of where the corridor is proposed there will be opportunities and challenges and statements of shifted burden. She stated that there may not be a perfect solution for a trail corridor in Medina. She commented that it seems the City has other ideas that may need to be flushed out and perhaps additional work is needed by the City to determine if there were a corridor that would provide regional benefit and meet the local priorities as well. She stated that once the community decides upon a recommended route, Medina could make that recommendation rather than Three Rivers investing additional time gathering input to continue to have additional options be brought forward.

Cavanaugh stated that perhaps there is a general idea between the east and west routes, dependent upon available land acquisition and what would make sense for both parties. He stated that he is interested in participating and would like to indicate some level of interest from the City.

Martin commented that she liked the east connection because of the school property and proximity to the family populated neighborhoods. She stated that it is not the decision of the City to micromanage the engineering details that would be addressed during the planning process. She stated that it would be the decision of the City to determine what would generally make sense and the experts would then work to determine what would actually work. She asked if someone would want to make a decision about the eastern or western routes proposed.

Reid commented that she believes the City should be fair to Three Rivers as a lot of time and study has been put into these alternatives and the City should not continue to ask Three Rivers to pursue additional study. She also agreed that the eastern route would be the best and the details could be worked out through engineering. She stated that she could support providing support for moving forward, acknowledging that this is simply the beginning. She commented that there is existing right-of-way along Hamel Road, and she would entrust Three Rivers to determine whether that is sufficient.

Moved by Reid, seconded by Cavanaugh, to approve the eastern route option to be included in the Diamond Lake Regional Trail Master Plan.

Further discussion: Cavanaugh asked whether Reid would support an amendment for staff to look at that narrow strip to avoid Tamarack as suggested in the discussion.

Reid agreed that she would be open to that but believed that if the City is going to look at alternatives that would be upon City staff rather than Three Rivers Park District staff.

Martin asked for clarification.

Cavanaugh stated that he does not oppose the alignment but does not believe an overpass location at the Tamarack intersection would be appropriate and that overpass should be shifted slightly.

Cavanaugh clarified the amendment to the motion to “ask that staff review the possibility to run the trail on the small strip of land providing an overpass to Highway 55 in that location”.

Martin asked why that would be the job of staff and not the Park District.

Cavanaugh commented that he would agree with that.

Martin asked that the motion be restated.

Moved by Reid, seconded by Cavanaugh, to approve the easterly route and to have Three Rivers Park District look to utilize the strip of land north/south to the west of Fields of Medina to determine whether that would be an appropriate location for an overpass.

Martin asked if the remainder of the corridor down Hamel Road to Baker Park would be included.

Reid agreed that she would support the eastern route and Hamel Road as proposed and let Three Rivers Park District explore the viability. She stated that perhaps it would be best to table the discussion tonight to allow Three Rivers to explore that alternative overpass location.

Reid requested to change her motion to table the request for two weeks to allow staff and Three Rivers Park District to explore the alternatives discussed.

Martin asked if the motion would be to table with direction for Three Rivers Park District to explore the alternate route and City staff to explore the existing right-of-way along Hamel Road.

Reid confirmed that motion.

Cavanaugh accepted the amendment. The motion reads as follows:

Moved by Reid, seconded by Cavanaugh, to table this item with direction for Three Rivers Park District to explore the alternative route and City staff to explore the existing right-of-way along Hamel Road.

Albers asked Cavanaugh to disclose the properties he owns along Tamarack for public record.

Cavanaugh again noted that he owns property to the west of Tamarack. Staff identified the parcels on the map owned by Cavanaugh and his father.

DesLauriers asked if the City Council were to move forward with an alternate route directly west of the Cavanaugh property would that alter the City Attorney's view that Cavanaugh does not have a conflict of interest?

Batty stated that his decision has not changed. He stated that given what the City is being asked to do he does not see a conflict of interest at this point.

Cavanaugh stated that if that opinion changes, he would be happy to step out of the discussion.

Batty asked who owns the strip of land.

Cavanaugh commented that his family does not own that property and he is unsure of the property owner.

A roll call vote was performed:

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

Motion failed.

Martin asked for input from the members voting against the motion and perhaps suggesting an alternative.

Albers stated that he prefers the eastern route but would prefer going into Uptown Hamel rather than using Hamel Road.

DesLauriers echoed those comments.

Martin commented that she agrees with the eastern corridor and not micromanaging the work further. She stated that if the City has an interest in the corridor it needs to respond to the routes proposed. She stated that she was willing to table to gather

additional information related to the right-of-way along Hamel Road. She stated that she could also support moving east but did not get the impression that Three Rivers Park District supported looking at another alternative.

Reid stated that Three Rivers has stated that their priority is to connect the parks, whereas Medina has the priority to reach Hamel. She stated that wherever the trail is put in, the City could provide connection to Hamel within its local plan. She was unsure whether that would satisfy DesLauriers and Albers.

Moved by DesLauriers, seconded by Albers, to continue the discussion, eliminating the western option and further evaluating the west option on Hamel Road related to right-of-way and exploring the east option into Hamel.

Further discussion: Martin asked if Three Rivers Park would be directed to explore both options.

DesLauriers confirmed that he would like both options explored for Hamel Road and into Hamel.

Albers clarified that he would like more emphasis on the eastern route into Hamel.

Martin clarified that the northern portion of the corridor would eliminate the western route and select the easterly route, and once Hamel is reached the preference would be to take the trail east into Hamel, making Hamel the destination but also listening to input from Three Rivers on the western option that would connect to Baker Park and the available right-of-way along that corridor.

A roll call vote was performed:

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

Motion passed unanimously.

Martin briefly recessed the meeting.

Martin reconvened the meeting. She commented that she believes each of the members of the Council has reviewed the agenda materials and therefore staff can make its presentation with the assumption that the materials have been reviewed.

B. James and Melissa Korin – Pioneer Trail Preserve – 2325 Pioneer Trail – Preliminary Plat (10:46 p.m.)

Johnson stated that the applicants are requesting Preliminary Plat approval to subdivide the parcel into three lots, which was recommended for approval by the Planning Commission.

Finke stated that this would create a three-lot rural subdivision. He stated that there is a home under construction on the site, as allowed for the lot noting that the home is not at

risk for the proposed property lines. He stated that the driveway has existed for a long time and is very close to the southeast property line noting that a driveway waiver has been suggested. He stated that staff finds the driveway as proposed to be acceptable. He noted that the property does not have access to a public street but has access through the property to the east, and that easement does allow subdivision. The Planning Commission supports the request including the driveway waiver subject to the conditions noted in the staff report.

Moved by Martin, seconded by DesLauriers, to direct staff to prepare a resolution granting preliminary plat approval subject to the terms and conditions noted in the staff report.

A roll call vote was performed:

<i>Reid</i>	<i>aye</i>
<i>Cavanaugh</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.

C. Connie Fortin – 215 Hamel Road – Site Plan Review (10:51 p.m.)

Johnson stated that the applicant has requested a Site Plan review for a 988 square foot detached garage, noting that the Planning Commission recommends approval.

Finke stated that the Site Plan review is required because of the requirements within Uptown Hamel and the intent for more intensive development in that area. He stated that this is otherwise a straightforward request and the Commission recommended approval subject to the conditions recommended in the report.

Martin commented that the house is lovely, and it is nice to see the carriage house preserved.

DesLauriers commented that the property owners are doing a great job remodeling and he looks forward to the completion and addition of a garage.

1. Resolution No. 2021-35 Granting Approval of a Site Plan Review for a Detached Accessory Structure at 215 Hamel Road

Moved by Martin, seconded by DesLauriers, to adopt Resolution No. 2021-35 Granting Approval of a Site Plan Review for a Detached Accessory Structure at 215 Hamel Road.

A roll call vote was performed:

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

Motion passed unanimously.

D. Shire Road Improvement Project (10:54 p.m.)

Johnson stated that Shire Road has deteriorated to where it needs a partial reclamation and a partial mill and overlay, therefore a Feasibility Report was completed.

Scherer reviewed the existing road conditions, noting that the first 450 feet that has been seal coated would receive a mill and overlay but the western portion will need to be reclaimed because of the deteriorating condition. He noted that five inches of new asphalt would be laid on the western portion. He reviewed the estimated project cost, noting that 50 percent would be assessed to the three lots. He noted that the project schedule was included in the packet and advised that he has spoken with all the property owners and he did not receive any comments of opposition.

DesLauriers commended staff and noted that this looks like a good project.

Martin asked for clarification on the assessment policy, noting that she sees five properties that are serviced by this road.

Scherer stated that in this case there are three outlots that are owned by one company. He stated that there are three alike properties that all use the road for similar business purposes and therefore the assessment is proposed to be split between those three properties that have access.

1. Resolution No. 2021-36 Receiving Feasibility Report and Calling for Public Hearings on Shire Road Improvement Project and Levying Special Assessments for Same

Moved by DesLauriers, seconded by Albers, to adopt Resolution No. 2021-36 Receiving Feasibility Report and Calling for Public Hearings on Shire Road Improvement Project and Levying Special Assessments for Same.

A roll call vote was performed:

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

Motion passed unanimously.

E. Compensation and Classification Study (10:59 p.m.)

Johnson stated that the Council identified reviewing the compensation and classification of the City during its 2021 goals session. He stated that one quote was received from DDA for this service.

Gallup commented that DDA is a human resource firm that specializes in compensation and classification studies for municipalities and staff recommends option one which would have a cost of \$4,000.

Barnhart stated that this would be helpful with union negotiations and budget discussions.

Moved by Martin, seconded by DesLauriers, to approve contract for compensation and classification study.

A roll call vote was performed:

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

Motion passed unanimously.

VIII. CITY ADMINISTRATOR REPORT (11:03 p.m.)

Johnson stated that Finke was able to gain information on the Chippewa Road wetland credits and will provide an update.

Finke stated that there were two banks for the potential wetland credits and the bank in Hennepin County does require a ten percent reservation fee to reserve the credits which would be good through the fall when the answer would be known on the permit. He stated that staff is still looking into the possibility of whether the credits could be purchase and resold if the project does not move forward. He stated that staff recommends moving forward to reserve those credits to ensure they would be available. He stated that WSB commented that it was a fairly good cost per square foot for those banked credits and there is a chance the price could increase if not reserved.

Martin commented that development is hot, and construction and development costs are increasing, therefore she would support proceeding because this project is important, and the developer has exhibited good faith.

DesLauriers agreed that the credits should be purchased as soon as possible, and the other members of the Council agreed.

Moved by Cavanaugh, seconded by Albers, to proceed with the reservation of the wetland credits based on the terms presented by staff.

A roll call vote was performed:

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

Motion passed unanimously.

IX. MAYOR & CITY COUNCIL REPORTS (11:09 p.m.)

Reid stated that the Uptown Hamel Business Association will begin meeting again the following month and she will attend.

DesLauriers commented that he looks forward to continuing the fire district discussions the following morning.

X. APPROVAL TO PAY THE BILLS (11:10 p.m.)

Moved by Cavanaugh, seconded by Martin, to approve the bills, EFT 005946E-005962E for \$59,360.17, order check numbers 051568-051617 for \$96,891.37, and payroll EFT 0511046-0511074 for \$55,116.09.

A roll call vote was performed:

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

Motion passed unanimously.

XI. ADJOURN

Moved by Cavanaugh, seconded by DesLauriers, to adjourn the meeting at 11:11 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