

MEDINA CITY COUNCIL MEETING MINUTES OF NOVEMBER 3, 2021

The City Council of Medina, Minnesota met in regular session on November 3, 2021 at 7:00 p.m. in the City Hall Chambers. Councilmember Reid presided.

Reid read a statement explaining that the meeting was being held virtually due to the ongoing pandemic and provided instructions for public participation.

I. ROLL CALL

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

Members absent: None.

Also present: City Administrator Scott Johnson, 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.)

Johnson noted that Batty has requested that a motion be made for Reid to be named the Mayor Pro Tem for the meeting.

Moved by Martin, seconded by DesLauriers, to appoint Reid as Mayor Pro Tem for the meeting.

A roll call vote was performed:

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

Motion passed unanimously.

IV. APPROVAL OF MINUTES (7:05 p.m.)

A. Approval of the October 19, 2021 Work Session City Council Meeting Minutes

Reid noted that Johnson distributed proposed corrections to the minutes as submitted by Martin prior to the meeting.

Moved by Reid, seconded by DesLauriers, to approve the October 19, 2021 work session City Council meeting minutes as amended.

A roll call vote was performed:

DesLauriers aye
Cavanaugh aye
Albers aye
Martin aye
Reid absent/lost connection

Motion passed unanimously.

Martin took over the roll over Mayor in absence of Reid.

B. Approval of the October 19, 2021 Regular City Council Meeting Minutes

Martin stated that prior to the meeting, Johnson distributed the changes she had submitted for incorporation.

Moved by Martin, seconded by DesLauriers, to approve the October 19, 2021 regular City Council meeting minutes as amended.

A roll call vote was performed:

DesLauriers aye
Cavanaugh aye
Albers aye
Reid aye
Martin aye

Motion passed unanimously.

Reid resumed as Mayor Pro Tem.

C. Approval of the October 26, 2021 Special Session City Council Meeting Minutes

Reid noted that prior to the meeting Johnson distributed changes to be incorporated as submitted by Martin.

Moved by Reid, seconded by DesLauriers, to approve the October 26, 2021 special session City Council meeting minutes as amended.

DesLauriers aye
Cavanaugh aye
Albers aye
Martin aye
Reid aye

Motion passed unanimously.

V. CONSENT AGENDA (7:10 p.m.)

A. Approve Liquor License to AGH Ventures LLC (DBA X-Golf) at 304 Clydesdale Trail

B. Approve Communications System Subscriber Agreement with Hennepin County Sheriff's Office

- C. **Resolution No. 2021-75 Accepting Resignation of Assistant City Administrator/City Clerk Jodi Gallup**
- D. **Approve Updated PUD Development Agreement by and between the City of Medina and Medina Townhome Development LLC**
- E. **Approve Collateral Assignment and Subordination of Development Agreement by and among the City of Medina and Medina Townhome Development LLC**
- F. **Approve Master Services Agreement and Addendums with Solution Builders**

Martin expressed thanks to Gallup for her 15 years of service to the City and wished her well in her future endeavors.

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

A roll call vote was performed:

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

Motion passed unanimously.

VI. COMMENTS (7:13 p.m.)

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Scherer reported that the Commission met on October 20th to discuss the Lifestyle Auto Condos in relation to park dedication. He noted that easements were recommended for trails. He noted that the Lakeshore Park concept was discussed, and the final plan will be developed for public input. He provided an update on work occurring at Hunter Park and Harriot's Woods.

C. Planning Commission

Finke reported that the Planning Commission will meet the following week to hold hearings related to a concept plan for a townhome development at 342 Hamel Road, a Conditional Use Permit for a drive-thru at Pinto Drive and Highway 55 for Caribou Coffee, and a PUD concept plan for Marsh Point which is a detached villa development east of Arrowhead Drive and south of Bridgewater.

VII. OLD BUSINESS

A. Interim Ordinance No. 677 Authorizing a Study and Imposing a Moratorium on Rooftop Elements Extending More than 12 Feet Above a Building (7:17 p.m.)

Johnson stated that at the October 19th meeting the Council directed staff to prepare the interim ordinance which would prohibit approval or construction of a rooftop element extending more than 12 feet above a building on which it sits.

Finke stated that at the last meeting the Council found that the existing zoning regulations do not adequately address rooftop elements and the Council acknowledged the need to study and consider amendments to the zoning code. He noted that staff intends to proceed as quickly as possible with the study. He reviewed the purpose of a moratorium and interim ordinance. He stated that the interim ordinance would add a definition of rooftop elements and establish an interim set of regulations which would prohibit a rooftop element from extending more than 12 feet above a roof it is located on. He stated that a moratorium could be in place for one year. He stated that staff suggests placing the moratorium into effect for one year from adoption, noting that the moratorium can be ended earlier if the work is completed prior to that time.

Reid asked if staff received any requests from the public to speak.

Johnson replied that he did not receive any requests to speak.

Martin commented that she finds the proposed ordinance to be consistent with the previous direction from the Council.

Reid referenced two structures (Holy Name steeple and Saint Ann's bell tower) that exceed above that height which were constructed prior to the City's regulations. She noted that there have not been any complaints about the height of those structures and therefore those structures should be considered in the study.

Moved by Martin, seconded by Albers, to adopt the interim ordinance authorizing a study and imposing a moratorium related to rooftop elements extending more than 12 feet above a building.

Further discussion: Martin stated that she would appreciate analysis of the density of rooftop elements in the study as well.

A roll call vote was performed:

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

Motion passed unanimously.

1. Resolution No. 2021-76 Authorizing Publication of Ordinance by Title and Summary

Moved by Martin, seconded by Cavanaugh, to adopt the resolution authorizing publication by title and summary.

A roll call vote was performed:

*Martin aye
Albers aye
Cavanaugh aye*

DesLauriers aye
Reid aye

Motion passed unanimously.

B. BAPS Minneapolis LLC – 1400 Hamel Road – Site Plan Review for Approximately 46,000 Square Foot Building Including Assembly, Classrooms and Ancillary Spaces (7:27 p.m.)

Johnson stated that the applicant is requesting an approximate 46,000 square foot building at 1400 Hamel Road. He noted that the applicant revised their application to remove most of the rooftop elements from the proposed plans.

Finke stated that the Council has reviewed this application on two previous occasions. He stated that the applicant updated their plans to remove most of the rooftop elements from the proposed plans. He noted that there is a parapet wall on portions of the roofline, but that does not exceed more than 12 feet in order to meet the interim regulations. He stated that staff recommends approval. He stated that the applicant indicated that they are looking forward to being a part of the discussion during the study of rooftop elements and would look to amend their site plan when the ultimate regulations are approved by the City.

Reid asked if staff received any requests to speak from the public.

Johnson confirmed that he did not receive any requests from the public to provide input.

Moved by DesLauriers, seconded by Martin, to direct staff to prepare a resolution granting approval of the site plan review subject to the conditions noted in the staff report.

A roll call vote was performed:

Albers aye
Martin aye
DesLauriers aye
Cavanaugh aye
Reid aye

Motion passed unanimously.

DesLauriers commented that he needed to leave the meeting. He left the meeting at 7:33 p.m.

VIII. NEW BUSINESS

A. Livable Communities Act – Participation in Local Housing Incentives Program (7:33 p.m.)

Johnson stated that the City elected to enroll in the program in the previous ten-year cycle from 2010 to 2020 and staff recommends that the City elect to enroll in the next ten-year period.

Finke reviewed the minimum requirements noted for participation in the program. He stated that staff recommends adoption of the resolution as proposed.

1. Resolution No. 2021-77 Electing to Participate in the Local Housing Incentives Account Program Under the Metropolitan Livable Communities Act for Calendar Years 2022 through 2030

Moved by Martin, seconded by Cavanaugh, to adopt the resolution electing to participate in the Local Housing Incentives Account Program under the Metropolitan Livable Communities Act.

A roll call vote was performed:

Cavanaugh aye
Albers aye
Martin aye
Reid aye

Motion passed unanimously.

IX. CITY ADMINISTRATOR REPORT (7:36 p.m.)

Johnson had nothing further to report.

X. MAYOR & CITY COUNCIL REPORTS (7:37 p.m.)

Reid provided an update on the work being done to brand Uptown Hamel with a logo.

XI. APPROVAL TO PAY THE BILLS (7:38 p.m.)

Moved by Cavanaugh, seconded by Martin, to approve the bills, EFT 006117E-006147E for \$112,883.13, order check numbers 052123-052240 for \$1,198,908.28, and payroll EFT 0511397-0511425 for \$54,228.

A roll call vote was performed:

Cavanaugh aye
Albers aye
Martin aye
Reid aye

Motion passed unanimously.

XII. ADJOURN

Moved by Cavanaugh, seconded by Martin, to adjourn the meeting at 7:39 p.m.

A roll call vote was performed:

Cavanaugh aye
Albers aye
Martin aye
Reid aye

Motion passed unanimously.

Kathy Martin, Mayor

Attest:

Scott Johnson, City Administrator