

MEDINA CITY COUNCIL MEETING MINUTES OF NOVEMBER 18, 2003

The City Council of Medina, Minnesota met in regular session on November 18, 2003 at 7:30 p.m. in the City Hall Chambers. Mayor Zietlow presided.

I. ROLL CALL

Members Present: Workman, Lane (arrived at 8:10 p.m.), Zietlow, Smith and Brinkman

Members Absent: None

Also Present: City Attorney Ron Batty, Public Works Director Jim Dillman, City Engineer Tom Kellogg, Planning and Zoning Administrator Loren Kohnen, Police Chief Ed Belland, City Administrator Chad Adams and Recording Secretary Jennifer Hennes.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

*Moved by Smith, seconded by Workman, to approve the agenda as presented. **Motion passed unanimously.***

IV. APPROVAL

- A. Approval of the October 28, 2003 Special Council Meeting Minutes**
- B. Approval of the November 4, 2003 Regular Council Meeting Minutes**

*Moved by Smith, seconded by Brinkman, to approve the October 28, 2003 Special Council Meeting Minutes as presented. **Motion passed unanimously.***

November 4, 2003 minutes - It was noted on page 5, paragraph 5, should state: "Power lines" not "property lines"

*Moved by Smith, seconded by Brinkman, to approve the November 4, 2003 Regular City Council Meeting Minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

- A. Resolution certifying delinquent water, sewer and recycling charges to the Hennepin County Auditor for collection in 2004.**
- B. Resolution Granting Preliminary Plat Approval to Medina Parks Second Addition.**
- C. Resolution approving amended and restated Joint Powers Agreement establishing the Elm Creek Watershed Management Commission.**
- D. Approving gambling (raffle) permit for Minnesota Motorcycle Riders Association event at Medina Entertainment Center on Saturday, February 7, 2004.**
- E. Approving final request for payment for Lingen Motel Sanitary Sewer project.**

*Moved by Brinkman, seconded by Smith to approve the consent agenda as presented.
Motion passed unanimously.*

VI. COMMENTS

A. Comments from Citizens on items not on the Agenda. There were none.

B. Park Commission

Adams stated Park Commission meets tomorrow evening and noted items on agenda.

Mayor Zietlow inquired what the Park Commissioner's term limits are. Adams stated he believes there is no term limit, but will check into further.

Smith stated she would bring this information up tomorrow evening to get feedback.

C. Planning Commission

Kohnen stated there could be at least two and up to four concept plan reviews at the next Planning Commission meeting.

It was noted the Planning Commission is not obligated to take all four concept plan reviews in one evening.

VII. BUSINESS

A. Public Safety

1. Medina Patrol Officer Hiring

Chief Belland stated on November 7, 2003 he was notified that Keith Converse had passed his background, physical and psychological exams. He would like to offer Converse the open patrol position with the department to start on December 1, 2003.

*Moved by Workman, seconded by Smith to offer Keith Converse the patrol position with the City of Medina. **Motion passed unanimously.***

2. North American Liquor – Alcohol Violation

Chief Belland stated on October 20, 2003 the police department conducted their alcohol compliance checks on all licensed liquor establishments. He noted at North American Liquors, located at 200 Highway 55, the clerk, Eric Lloyd sold a six-pack of Smirnoff to the underage decoy. Chief Belland stated on November 12, 2003 Mr. Lloyd had plead guilty to the sale of alcohol to a minor. He stated the owner of North American Liquors, Joe Francis, is here this evening to face the civil action portion of the violation.

Smith inquired about the civil penalty.

Chief Belland stated it is up to a \$2,000 fine or license revoked. He noted there has been only one other violation.

Smith inquired about other establishments that have had violations.

Chief Belland stated there has been only one. He stated the City Council gave this owner a \$2,000 fine with a \$1,500 stay.

Gary Gandrud, 2200 Wells Fargo Center, representative of Joe and Sue Francis stated there is no dispute from the sales clerk regarding this violation. He noted Mr. and Mrs. Francis did take steps to alert the employees of this upcoming inspection.

Zietlow inquired how long the employee has been employed and asked about training.

Ms. Francis stated this employee has been with them for two and a half years and she presented their process for training their employees.

Smith stated her concern is if this type of violation, caught by a compliance check, happened once, it probably happened before.

Workman stated he does not feel it is fair to penalize the new owners. He noted he is ok with the \$2,000 fine without the stay.

Batty stated the fine is up to the Council's discretion.

*Moved by Workman, seconded by Smith for a \$2,000 fine to be paid before the sale of the establishment. **Motion passed unanimously.***

B. Administration

1. Transfer of Liquor License at 200 Highway 55 for Medina Liquor Incorporated.

Adams provided an overview of Chief Belland's memo and the background check.

Workman stated he wants to make new owner aware the City takes violations seriously.

Smith inquired if Mr. Kim has owned any other liquor stores.

Mr. Kim stated he owned the Minnetonka Liquor store and his family has been in the business for a long time.

*Moved by Smith, seconded by Workman, to accept the transfer of the liquor license at 200 Highway 55 for Medina Liquor Incorporated. **Motion passed unanimously.***

C. Parks

1. Hamel Legion Park Community Building

Adams presented a draft project timeline for the building construction. He noted he would be talking with Staff tomorrow and Bill Wolters in the near future. Adams presented the other City services being put into this project. He noted he is looking for direction from the Council to pay the Lions \$9,200 in engineering costs for site work. He also reviewed the construction phase services, noting Bill Wolters contract is ending when the contract is awarded and the Council will have to decide who will be designated authority to review shop drawings, conduct special inspections, etc.

Smith inquired about the development and operating agreements.

Adams stated an agreement would be drafted in the near future.

Smith recommended selling bricks for a fundraising idea.

Zietlow questioned how the \$9200 affects the City's commitment of \$130,000.

Adams stated the \$9200 is a part of the \$130,000 committed by the City.

*Moved by Workman, seconded by Smith, to authorize Bonestroo to prepare bid documents for site work and to insert the \$9,200 into December bills. **Motion passed unanimously.***

Lane arrived 8:10 p.m.

D. Planning

1. Concept Plan Review – Farmers State Bank of Hamel

Kohnen presented the plans to review for the concept of an addition to the Hamel Bank building. He noted the new portion would be new space for the bank with existing space being remodeled for commercial lease space.

Paul Meyers, project architect, presented an overview reviewing the concept of the project and presented the highlights of the sight design.

Workman stated discussion was held at the Planning Commission regarding the design and location of the building on the lot.

Brinkman noted he feels the architects have done a good job on the design of the building. He doesn't feel this building would be out of place for this area.

Shorty Dorweiler stated it is not feasible to build a second addition on the current building. He noted they have considered a number of things the Planning Commission suggested. Dorweiler presented information regarding the addition of the 'porch' area.

Workman noted the bank has adequate parking and they allow others to use as needed.

2. Highway 12/CSAH 29 Intersection Plan

Adams stated he has not received any correspondence from Maple Plain, but noted they are holding a public hearing to discuss the Plan on Tuesday, December 2nd at 7:00 p.m.

VIII. APPROVAL TO PAY BILLS

*Moved by Smith, seconded by Brinkman, to approve the bills, order check numbers 25835-25893 for \$71,372.58 and payroll check numbers 18388-18404 for \$21,580.10. **Motion passed unanimously.***

IX. ADJOURN

*Moved by Brinkman, seconded by Workman to adjourn the meeting at 8:40 p.m. **Motion passed unanimously.***

Phillip K. Zietlow, Mayor

Attest:

Chad M. Adams, City Administrator