

MEDINA CITY COUNCIL MEETING MINUTES OF DECEMBER 19, 2006

The City Council of Medina, Minnesota met in regular session on December 19, 2006 at 7:00 p.m. in the City Hall Chambers. Council Member Smith presided.

I. ROLL CALL

Members present: Cavanaugh, Smith, and Weir.

Members absent: Brinkman, Workman

Also present: City Attorney Ron Batty, City Engineer Tom Kellogg, Police Chief Ed Belland, City Planner Rose Lorsung, City Administrator Chad Adams and Recording Secretary Kimberly Stoll.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

It was requested to pull item 7A, Gramercy Cooperative at Elm Creek- Prairie Plantings, from the agenda.

Smith inquired when it would be back on the agenda.

Adams stated he thought it would be on the agenda for the January 2, 2007 or January 16, 2007 meeting.

Lorsung stated it is more likely to occur at the January 16, 2007 meeting.

Adams requested the addition of 9D to accept the resignation of City Planner Rose Lorsung by resolution.

*Moved by Adams, seconded by Cavanaugh, to approve the agenda as amended.
Motion passed unanimously.*

IV. APPROVAL OF MINUTES

A. Approval of the December 4, 2006 Truth in Taxation Meeting Minutes

*Moved by Weir, seconded by Cavanaugh, to approve the December 4, 2006 Truth in Taxation meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the December 5, 2006 Regular City Council Meeting Minutes

It was noted on page 1, the seventh paragraph should state: "She inquired if Smith knew what might be on the agenda. Smith stated..." instead of "She inquired if Weir knew what might be on the agenda. Weir stated..."

It was noted on page 2, the sixth paragraph should state: "Eiden" instead of "Iden" and "Farr" instead of "Pharr."

It was noted on page 5, the sixth paragraph should state: "Weir noted when the City qualifies for State Aid, the transportation portion... Weir stated the City can enforce truck routes and use conditional use permits. The City can request police enforcement to limit truck traffic through the City on future businesses... She stated she didn't believe Tamarack Drive should be extended to TH 55 because it will bleed clogged up traffic on TH 55 through a residential street and the road would have to be built over a large marsh that helps to filter run-off to already impaired Elm Creek... Weir summarized that she thinks there should be designated truck routes. She stated there needs to be traffic calming methods and weight limits on all of the roads that are heavily used by trucks. She stated they need to enforce truck and speed route designations."

It was noted on page 8, the third paragraph should state: "Weir stated they built Prairie Drive to accommodate the Hennepin County traffic to TH 55."

It was noted on page 9, the twelfth paragraph should state: "Weir read the fourth option: creation of off-road pedestrian or recreational trails. Weir stated this should be left to the parks to create, but that it would not help with horses and riders crossing Willow."

It was noted on page 12, the twelfth paragraph should state: "Cavanaugh inquired..." instead of "Cavanaugh stated inquired..."

It was noted on page 18, the eighth paragraph should state: "Crosby" instead of "Cosby."

It was noted on page 19, the eighth paragraph should state: "Weir stated that when the final plat came in they could be more ready to consider the issue of purchasing the trail easement."

It was noted on page 21, the eighth paragraph should state: "Weir stated there is already concern about space and lean staffing at City Hall and Staff shouldn't be involved in policy work."

It was noted on page 22, the ninth paragraph should state: "Workman stated there are..." instead of "Workman stated they are..."

*Moved by Cavanaugh, seconded by Weir, to approve the December 5, 2006 Regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

- A. Approve 2007 Tobacco Licenses
- B. Approve Amended Recording Secretary Services Agreement with Timesavers, Offsite Inc.
- C. Resolution Granting Preliminary Plat Approval for Parkview Knoll
- D. Ordinance Rezoning Certain (Kirt: Parkview Knoll) Property from RR-2 to RR
- E. ~~Resolution Granting an Amended Conditional Use Permit to Alpine Farms~~
- F. ~~Resolution Granting Preliminary Plat Approval for Beannact Farm~~

Smith asked to remove items E and F from the consent agenda.

*Moved by Cavanaugh, seconded by Weir, to approve the consent agenda. **Motion passed unanimously.***

Resolution Granting an Amended Conditional Use Permit to Alpine Farms

Adams inquired if Batty or Lorsung had any additional conditions to add to the list of conditions.

Batty stated there was one condition to add relating to referencing the pre-existing CUP conditions from the original CUP.

*Moved by Weir, seconded by Cavanaugh, to approve the Resolution Granting an Amended Conditional Use Permit to Alpine Farms with the addition of condition #9 to be listed as "Except as set forth above, the conditions, numbered 1-31, of the original conditional use permit adopted April 6, 2004 shall remain in full force and effect."
Motion passed unanimously.*

Resolution Granting Preliminary Plat Approval for the Beannact Farm

Adams provided an overview for the Council of the plat request at 3003 and 3085 Hamel Road known as Beannact Farm. He explained the current resolution involves receiving a 15 foot trail easement adjacent to Hamel Road and that there has been discussion of changing that to a cash in lieu of land.

Weir stated that the adjacent cemetery to the east, steep slopes and other topography issues provide constraints on placing a 15 foot easement on the south side of Hamel Road.

Cavanaugh stated he thought the City needed to take the easement for the possibility of a future trail.

Smith stated the plan does not call for the trail to be on the South side of Hamel Road.

Adams clarified the adopted Trail Study does indicate a trail along Hamel Road, but it doesn't specify if the trail should be placed on the north or the south side.

Smith stated there is an existing trail on the north side of the road.

Smith stated when the Park Commission has the opportunity to take an easement they do so. She noted that this area is a difficult area to build a trail through due to the pond on one side of the road. She stated it wouldn't work for the easement to be 15 feet. She explained the topography of the area which includes various hills and a cemetery. She stated she understood the purpose of taking the easement, but they currently have a 33 foot easement. She stated she thinks the City should build the trail within that easement. She noted there currently is a soft trail along the north side of the trail.

Cavanaugh inquired about Lorsung's recommendation on this.

Lorsung stated they didn't specify the location of the trail on Hamel Road. She stated the City does have one easement for a property on the south side. Lorsung also stated she spoke with Ann Thies about burials in cemetery near that location. Thies informed

her that there aren't any records for burials that occurred more than 100 years ago. Lorsung stated that it would be possible to build a trail over the wetlands, but it would be expensive. Lorsung explained staff recommended approval of the 15 foot trail easement because the City had begun taking a prior easement on the south side of Hamel Road a few years ago.

Weir inquired if it would be wiser to place a trail in the 33 foot right-of-way instead of on the trail easement.

Cavanaugh stated he thought the City would like to see a trail along Hamel Road.

Smith re-stated there is currently a trail on Hamel Road.

Adams stated that the current trail on Hamel is a gravel trail.

Smith stated the trail is a gravel trail making it a trail appropriate for horse riding. She noted that the trail was placed on the north side because the County thought it was the safer side of the road.

Cavanaugh clarified if it was a mistake to take the previous easement and questioned if it made more sense to put the trail on the north side.

Smith stated the trail on the south side is on the residential side of the road and the north side is commercial property.

Smith stated the reason to have the trail on the south side of the road near the residential property would be for the safety of the residents eliminating the need for them to cross over the road to have access to the trail.

Adams inquired if this road would also be a concern due to the truck traffic and if it would become a truck route. Adams stated for pedestrian safety purposes, that a 15 foot trail easement may provide more flexibility to have an off-road trail along some segments of Hamel Road.

Cavanaugh stated he wasn't sure if there was enough research done to decide whether or not an easement is appropriate and believed it would be imprudent to forego taking the easement at this time.

Smith stated there isn't enough funding to buy easements due to the topography and the quantity of residents that will want easements. She noted there would be a need to remove many trees and hills in order to place a trail on the south side.

Weir stated Hamel Road is a County road and could serve as a desirable truck route.

Smith stated they don't need to designate Hamel Road as a truck route just because it is a County road.

Cavanaugh stated they don't have the authority to prohibit trucks from driving on Hamel Road if it is a County road.

Weir stated she does think burials are within the easement. She stated she thinks it would be a great problem to place a trail on the south side of Hamel Road.

Kellogg stated that he agreed that it may be appropriate to keep the trail on the south side until further analysis is conducted. He demonstrated on a map the approximate location of the 33 foot trail easement and it's location with the cemetery. He stated he agreed the cemetery and wetland area don't make it feasible to build a trail through those areas.

Doug Otten, 3303 Hamel Road, and Cheryl Bazinet, 3304 Hamel Road, concurred with Smith that the topography of the land in that area and the cemetery would make it difficult to build a trail.

Kellogg stated he was unsure which property the easement was taken on.

Weir noted that it doesn't look feasible to build a trail on the south side of Hamel Road near the Beannact Farm, but the trail could be built on the south side, east of Willow, crossing to the north side west of the Willow Drive/Hamel Road stop sign.

Adams noted the language to incorporate if a change would be made to taking cash in lieu of land. Adams stated an amendment to condition #14 could read as: "The park dedication shall be cash in lieu of land for the one new lot (\$8,000). Prior to release of the final plat for recording, the applicant shall pay the required park dedication fees."

*Moved by Weir, seconded by Cavanaugh, to adopt the Resolution Granting Preliminary Plat Approval for Beannact Farm with an amendment to condition #14 to be listed as "The park dedication shall be cash in lieu of land for the one new lot (\$8,000). Prior to release of the final plat for recording, the applicant shall pay the required park dedication fees." **Motion passed unanimously.***

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Adams stated the Park Commission meeting that was scheduled for December 20 is canceled and the next meeting is in January.

Smith inquired when they will be appointing new members to the Park Commission.

Adams stated the Council will be appointing new members on January 2, 2007.

C. Planning Commission

Lorsung stated the Planning Commission heard three items at the previous meeting.

Lorsung summarized the current agenda items for the next Planning Commission meeting in January.

VII. OLD BUSINESS

A. ~~Gramercy Cooperative at Elm Creek - Prairie Plantings~~

VIII. NEW BUSINESS

A. Consultant Services and 2007 Rates

1. Services and Rates with Tallen and Baertschi- Prosecuting Attorney

Adams summarized the proposal for services and rates for prosecution services for calendar year 2007. He stated the proposed increase is 3.9%.

*Moved by Cavanaugh, seconded by Weir, to accept the Services and Rates with Tallen and Baertschi. **Motion passed unanimously.***

2. Services and Rates Schedule with Bonestroo, Rosene, Anderlik, and Associates- Engineering

Weir inquired if the City has shopped around for competitive bids.

Adams stated they have received some comparisons from neighboring communities and the rates are comparable.

Tom Crosby inquired if they know if the companies are giving a better deal to another City.

Adams stated the City's interim retainer is at a much better rate.

Kellogg stated the City is receiving services at a lower rate compared to other cities their firm provides services to by contract.

Weir stated that she is appreciative of Bonestroo's work.

*Moved by Cavanaugh, seconded by Weir to accept the Services and Rates Schedule with Bonestroo, Rosene, Anderlik and Associates. **Motion passed unanimously.***

3. Services and Rates Schedule with Kennedy and Graven- Legal Counsel

Adams explained the proposal for hourly attorney rates. Adams noted the change in the cost of the monthly retainer increasing from \$500 to \$750 to incorporate regularly scheduled staff meetings twice a month. He explained that there will be a cap of 2 hours for the length of time for Staff meetings.

*Moved by Cavanaugh, seconded by Weir, to approve the Services and Rates Schedule with Kennedy and Graven. **Motion passed unanimously.***

Smith stated she likes the idea of having the Staff meetings the morning after the Council meetings.

4. Services and Rates Schedule with Landform- Planning Consultant

Adams provided an overview of the proposed rate schedule with Landform, with the only change relating to the IRS mileage rate because the Council approved a two-year increase last year.

*Moved by Cavanaugh, seconded by Weir, to approve the Services and Rates Schedule with Landform. **Motion passed unanimously.***

B. 2007 Budget

1. Liquor License Fee Schedule- Public Hearing

Adams reviewed the liquor license fee schedule for the City Council including the four classes. He explained the various classes as follows:

Class A: Greater than 20,000 square feet \$7,500

Class B: 12,000 to 20,000 square feet \$6,500

Class C: 6,000 to 12,000 square feet \$5,500

Class D: under 6,000 square feet \$4,500

Adams stated all of the businesses currently holding liquor licenses were notified of the public hearing via a letter. A legal notice was also published.

The public hearing was opened at 7:41 p.m.

Hearing no further comments, the public hearing was closed at 7:41 p.m.

Adams explained that no motion is needed because the proposed rates are included in the next agenda item and ordinance.

2. Ordinance Amending Fee Schedule- Public Hearing

Adams provided an overview of the ordinance amending the fee schedule. He stated they are adding a new administrative fee for delinquent charges for water, sewer and recycling. He stated the City will begin charging a 10% administrative fee also for water service connections between Medina residents receiving water from Orono and Maple Plain. Adams stated the fee schedule included the increased rates for City Staff and consultants. These rates will be charged back to developers for land use projects. He stated they are implementing an improved system for Staff to document all of their time which will allow for accounting it appropriately for various projects. Adams stated they are raising the deposits to account for the total expenses for land use applications. He noted that some developers have not paid the bill when they exceed the deposit. He explained that the deposits would be held and remain unspent until the project was completed.

Weir inquired about the septic inspections occurring every 2 years, since the ordinance requires 3 yearly pumping and inspections.

Lorsung stated she did think it was a 3 year cycle.

Adams clarified that there will be a new process to notify residents about the inspections. He stated the City will send postcards to residents that are due for an inspection requesting them to provide documentation of the completed inspection.

Lorsung stated it is a system that has worked well in other communities. Lorsung stated if the postcard is not responded to by a resident or the septic system is not in compliance, then Metro West would be sent out to the field to do the inspection and the resident would owe \$250 for the inspection.

Smith clarified that no one has received a card to date and this is a new system that will be implemented.

Lorsung stated a public meeting will be scheduled for the residents with septic systems.

Adams provided an overview of the 2007 rental rates and deposits for the Hamel Community Building.

Adams noted a recommended change on the developer sign to state that the sign may be "up to 16 sq. ft." instead of a minimum of 16 sq. ft.

Weir inquired about the cartway easement fee.

Batty explained the statutory process where a resident can request the City to provide access to a land-locked parcel. He stated the benefited property has to pay any City costs to provide the easement. He explained that there could be appraisal fees, lawyer fees and other fees as appropriate.

Weir inquired if the Comprehensive Plan Amendment fees for 2007 is sufficient.

Adams stated it is a deposit and will not be drawn from. Adams also explained that with multiple land use requests (i.e. rezoning, plat, site plan review) that staff has discretion to increase the deposit.

The public hearing was opened at 7:51 p.m.

David Wessin, 1125 Hamel Road, inquired if a Fire Department would be able to rent the Hamel Community Building for free.

Adams stated public service groups includes City appointed boards and commissions and they are allowed to use the facility rent free as a City entity. Adams stated if the City participated in a training session or educational session, then the Fire Departments would be allowed free use. Other non-profits can request free use for certain civic events as well before the Council.

Wessin inquired about the \$50 fee for the temporary sign for the upcoming Fire Department benefit.

Lorsung stated the City just changed the sign ordinance for temporary signs. She noted there aren't exemptions for non-profits to not pay the fee.

The Council discussed the relationship of Fire Departments with the City and status as a non-profit.

Batty stated he wouldn't write in to the ordinance a variance for non-profits.

There being no further comments, the public hearing was closed at 7:55.

*Moved by Weir, seconded by Cavanaugh, to adopt the Ordinance Amending Fee Schedule with noted changes. **Motion passed unanimously.***

Cavanaugh inquired if they would like to put any parameters in place at this time. Adams stated staff could look into this a little further and report back in the future.

3. Resolution Authorizing Publication by Title and Summary of Fee Schedule Ordinance

Adams informed the Council there needed to be a minimum of four Council Members present to vote on this issue. He suggested waiting until later in the meeting to discuss it if another Council Member arrived or to table the discussion until January 2.

4. Subsequent Hearing- Resolution Approving 2006 Tax Levy, Collectable in 2007

Adams stated the proposed 2006 tax levy, collectable in 2007 is \$2,150,000 for the general operating budget and referenced the proposed general fund budget at \$3,780,750 and the tax rate at 15.36%.

The public hearing was opened at 7:58 p.m.

Hearing no further comments, the public hearing was closed at 7:58 p.m.

*Motion by Cavanaugh, Weir to accept the Resolution Approving the 2006 Tax Levy. **Motion passed unanimously.***

5. Resolution Approving 2007 Budget

Adams provided an update in response to the Council's previous request for Staff to find out more about the contributions made by the City to non-profit organizations.

Weir stated she thinks they should support contributions to the three non-profit organizations listed. She noted the contributions stabilize the community by providing services that are needed by the residents.

Adams stated Staff provided information regarding the West Metro Drug Task Officer as requested from a previous Council meeting. He stated the compensation and benefits for the Drug Task Force Officer amounts approximately to \$79,000.

Belland stated in the first 3 quarters of 2006 the Task Force seized street drugs in excess of \$8,000,000. Belland stated they are the top in the State for forfeitures. He stated it costs money to run the program and they do have a full-time person in this position. He noted that Orono Schools brought the issue to the attention of the Police

Department. He stated it is the 3rd complete year with the Task Force. He stated that the area draws the drug dealers to this area because the people have the means to pay for the drugs. Belland stated they are proud of the work they are doing. At the beginning of the year they will be switching the Task Force member with another officer for a 2 year period.

Smith stated that she didn't think the Council thought it was an excessive expense. She stated she thought the Council wanted clarification about the costs and the costs for the other cities in partnership with the Task Force.

Belland stated they do receive revenue. He stated the first year this began each of the cities paid \$5,000. Starting in 2007 they are able to take the forfeited funds and reinvest it into the program. He stated the funds are split between the State, the City, and the Task Force.

Weir and Smith stated they think it is good work.

Smith stated she thinks it is a necessary program.

Adams stated that he has provided a 2007 Staff report as requested by Council and is proposing a full-time Office Assistant position to serve the Planning and Public Works Departments. Adams stated he would like to complete a 10 year Staff Needs Analysis upon completion of the growth plan through the upcoming 2010-2030 Comp. Plan approval.

*Motion by Cavanaugh, seconded by Weir, to approve the Resolution for the 2007 Budget and accommodating reports and recommendations. **Motion passed unanimously.***

C. Resolution Receiving Citizen Petition for Environmental Review Regarding Rising Sun Memorial Park Project

Adams explained that the City received a citizen petition requesting environmental review of the proposed Rising Sun Memorial Park Cemetery. This necessitates certain action on the part of the City.

Batty stated the City received the qualifying petition last week requesting the City complete an Environmental Assessment Worksheet. The receipt of the petition starts the statutory process. He stated the first thing the City needs to do is determine if they are the responsible governmental unit to complete the environmental review. He stated the City has 15 days to make a decision for the Environmental Assessment Worksheet. He explained it is possible to have 15 additional days to complete the EAW. He stated Staff could determine if there are issues raised during the initial review of the petition and supporting documentation. He explained that Staff will make a recommendation whether the petition should be rejected or the EAW should be completed. He stated if the Council decided to move forward on the EAW then the City must notify the EQB. He noted it would be a 3 to 6 month process involving and it would ultimately come back to the Council to decide whether the issues raised in the EAW merit further review through preparation of an Environmental Impact Statement. He stated if no additional review is warranted, the City will make a negative declaration and no EIS will be prepared.

Batty stated Staff's intention is to work on the EAW as rapidly as possible and to come to the next Council meeting with their recommendation. Batty stated if it was decided to not move forward with the EAW, the petition could be rejected. He stated the dual track process would allow for Staff to provide information for the Council and for the Council to make a decision based on all of the available information.

Cavanaugh stated that if they were going to go forward with EAW, he thinks it is fair for the petitioners to be aware of this. He stated he thinks the City is asking the property owners to go through a lot if they already know they aren't going to consider the possibility of the cemetery.

Weir stated the Planning Commission did recommend to deny. She stated the Council needs the environmental worksheet in order to make a decision.

Cavanaugh stated he wasn't asking the Council to make a decision regarding the worksheet. He explained that he thinks if the Council is already predisposed to saying no to the Cemetery even without the worksheet, then they should tell the owners now. He stated that he thinks the fair thing to do is look at the site to see if it is feasible. He also stated if it does go forward, he is not willing to approve it without the environmental review.

Weir stated she thinks they need to accept the petition due to the tight timeline. Weir stated that she thinks the applicant has a fair idea based on the Planning Commission meeting.

Batty stated the schedule he laid out will allow for both of those tracks. He stated there was a lot of testimony at the Planning Commission meeting and an email received after the meeting that raised a lot of issues. Batty hadn't had time up until this point to review the meeting minutes and the email in detail.

Smith stated an EAW is the first step and then to proceed to the Environmental Impact Statement if it is warranted.

Batty stated the cost is a cost the applicant has to bear, not the City.

Weir stated it is fair to the applicant to take the first step.

Cavanaugh concurred that it is fair to the applicant to begin the EAW while Staff is preparing a recommendation.

Smith stated there are a number of things about it she would like to see changed.

Crosby stated he would like to have the attorney's opinion about it and he is not prepared to tell the Council that information at this point. He stated the EIS project is a very expensive project and completing the EAW is less than that. He agreed with Cavanaugh about letting the petitioner know if the Council was against having the cemetery, but at this point there isn't enough information for the Council to make that decision. Crosby inquired if the City has the right to not pursue the citizen's request for an EAW.

Batty stated the Council does have the right to not pursue the citizen's request for an EAW.

*Moved by Weir, seconded by Cavanaugh, to approve the resolution. **Motion passed unanimously.***

IX. CITY ADMINISTRATOR REPORT

A. Snow Removal Services Agreement

Adams stated the City received 2 quotes for snow removal, one from Sunburst and the other from Lawn Detailers.

Lorsung stated she heard from Mr. Dykhoff at Lawn Detailers. Dykhoff stated he doesn't intend to apply for a conditional use permit because he doesn't feel it is in his best interest to apply for a conditional use permit. Lorsung explained the business is operating out of a residence as a lawn service business and a snow removal service. She explained that Dykhoff doesn't think it is a viable service to build an accessory building, but is planning to clean up the property. She also noted that Dykhoff is planning to put his intent in writing.

Adams summarized the proposals including the cost and the services they provide. He stated Sunburst is higher in rate structure and they performed the work last year and did a fine job.

Smith stated that businesses operating without permits are often able to operate at a lower cost putting the businesses that are following the law at a disadvantage.

Cavanaugh stated he doesn't have a problem having Staff follow up with businesses that are known to be operating out of compliance. He explained that he sees the Council's role as providing the residents with the best services for their money.

Weir stated she thinks it is a policy issue the Council needs to consider.

Lorsung stated that if the business owner is not willing to operate under a conditional use permit, the City does have a process to follow to go after the business. She stated that Dykhoff doesn't have the financial means to apply for the conditional use permit and come in to compliance.

Smith stated she is hoping the next Council will discuss the issues of using businesses that are operating out of compliance. She stated it may be fair to be sure the other company is operating with the correct permits before they agree to use them.

Weir stated one is a Medina business and one is an Elk River business.

Smith stated the City is not required to accept lowest quote from bidders.

Weir stated if they justify taking the low bid and then next year the City should be sure to have a policy set up regarding hiring businesses that are in compliance with City regulations.

Smith stated the location of the business operating from shouldn't matter. She thinks people need to follow the City's ordinance.

Weir stated that is the concern that she raised last time.

Moved by Weir, seconded by Smith, to approve the Snow Removal Services Agreement with Sunburst Lawn & Snow. 2 ayes (Weir, Smith) - 1 nay (Cavanaugh). Motion passed.

Smith requested the Council discuss the policy about hiring non-compliant businesses at the Council retreat.

B. Fire Services Agreement with City of Maple Plain Fire Department

Adams stated that he isn't sure why the Maple Plain Fire Department hasn't been able to respond to Medina about the agreement. He spoke with the Interim City Administrator from Maple Plain and he advised that Medina move ahead with approving the agreement, as a proposal.

Moved by Weir, seconded by Cavanaugh, to approve the Fire Services Agreement with the City of Maple Plain Fire Department, as requested. Motion passed unanimously.

Smith inquired about the size of the area that Maple Plain covers.

Adams stated that two years ago a similar situation happened and the agreement was finalized after the Council's approval. He stated that the contract will still be valid and services will continue without interruption. He explained Maple Plain has had some staff turnover and this may be part of the delay.

C. Uptown Hamel Temporary Sign Quotes

Adams stated Lorsung has put together the quotes for the two temporary signs to be located in Uptown Hamel.

Lorsung stated that she was surprised by the cost of the temporary signs.

Weir inquired if the temporary signs are lit signs.

Lorsung stated the signs are not lit. She also noted that there aren't any graphics on the signs and the signs consist of basic lettering.

Cavanaugh inquired if the signs could be made by Public Works.

Lorsung stated they should also consider the weather because placing posts into the ground when it is frozen will increase the cost.

Cavanaugh inquired if they could place the posts in the ground now and then attach the sign when it is ready.

Lorsung stated the City needed to apply for a permit through MnDOT because of the location of the sign.

Cavanaugh inquired if they could go ahead if they can proceed with the permit from MnDOT.

Weir clarified that the quotes were for 2 signs.

The Council discussed possibility of creating a banner for the temporary signs, the 60 day limit to have a temporary sign, and the 5 year durability of the signs that are in the quotes.

Lorsung stated that the temporary signs were intended to be wayside signs.

Cavanaugh inquired if the City had a variance to exceed the 60 day limit for hanging temporary signs.

Lorsung stated she doesn't think the City ordinance provides an exception for signs hung by the City. She stated there is a variance in cost between the two quotes.

Batty stated they should also consider the City has met with Developers within the last 3 or 4 weeks to discuss marketability and development alternatives for Uptown Hamel. He stated that it may be an opportunity to listen to the report from Ehlers and Staff first and then to bring the issue up again.

*Moved by Weir, seconded by Cavanaugh, to table the discussion. **Motion passed unanimously.***

Adams announced regrettably that the City received a resignation notice from Rose Lorsung effective January 16, 2007.

*Moved by Weir, seconded by Cavanaugh, to accept Rose Lorsung's resignation effective January 16, 2007. **Motion passed unanimously.***

Smith thanked Rose for her knowledge and expertise that she brought to the City of Medina.

Lorsung stated it has been an honor to work with the Council.

Adams stated there will be a new Council Member Orientation on December 28th. He inquired if any other Council Members would be present stating that if they were it should be scheduled as a special meeting. No other Council Members are planning to attend.

Adams stated they would like to schedule a Saturday retreat in January or February. The Council Members discussed possible dates.

Adams stated the Facilities Master plan committee took a tour of the Hennepin County Public Works facility to see if it would be feasible to locate a Medina facility on their property, either attached or detached. He stated Staff is working on creating a general "term" sheet for committee and ultimately Council review of such a relationship.

X. MAYOR & CITY COUNCIL REPORTS

Weir stated she wrote a thank-you to Terry Tomann for his donation of land into a conservation easement. She noted that his gift is a generous gift for the future.

Adams stated he thinks the Council will go in to closed session in January to discuss this further.

Weir inquired if Smith would like to speak about the new Met Council requirements. Weir stated she attended a meeting with the Met Council and there is a concern about how they are going to measure density. She stated cities aren't able to count roads in the calculations as they used to do.

Smith provided an example of an area that was previously zoned using the average, but now they use the lowest number when calculating the density.

Weir inquired if it would be appropriate to have a Met Council representative come to a Council meeting to discuss this.

Smith stated they had talked about having a unified voice to bring to the representative. She stated it isn't good for the City to use the new density calculation method for zoning.

Lorsung stated the numbers that have been previously put together were higher. She stated the change means that the City is now only getting credit for the smallest amount of land. She noted that this is more detrimental to developing communities than it is for established communities.

The Council discussed the implications of the density measurement and the comprehensive plan.

Smith stated the Builders Association is opposed to the Met Council's position as well.

Dan Johnson inquired if the Council has tried to go to our elected Legislators .

Smith stated that she doesn't know if they have, but that staff often comes up with policies and discusses them.

Weir inquired when it would be appropriate and how to approach Gen Olson.

Crosby stated the City of Medina needs to find out what the Met Council's policy is regarding the density.

Batty stated that Gen Olson has heard a lot from Minnestrista, because she represents that area as well.

Crosby stated he would assume Minnetrista is of the same opinion that the new Met Council requirements aren't in the favor of Minnetrista.

Doug Dickerson stated that he would recommend that the Council be sure the Met Council uses the same system for counting density for all of the cities.

Smith stated she recently read a newspaper article regarding Loretto's sanitary sewer storage. Adams explained that Medina may want to revisit the County Road 19, and County Road 11 interceptor for off-peak service to Loretto.

Kellogg stated there have been some previous discussions regarding the use of the 19/11 interceptor.

Adams stated he thinks the MPCA would like to have the TMDL approved soon. He stated as part of the article the city of Loretto requested to remove themselves from MS4 status and that request was denied by the MPCA because it is a federal requirement.

Smith stated it will cost Medina money to comply, but that complying to the TMDL is important.

Weir stated Loretto shouldn't be exempted.

Adams stated he thinks Staff should keep on top of this.

XI. APPROVAL TO PAY THE BILLS

*Moved by Cavanaugh, seconded by Weir, to approve the bills, order check numbers 030277- 030340 for \$184,567.15, and payroll check numbers 019992-019998 for \$31,248.79. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Weir, seconded by Cavanaugh, to adjourn the meeting at 9:17 p.m. **Motion passed unanimously.***

Carolyn A. Smith, Acting Mayor

Attest:

Chad M. Adams, City Administrator-Clerk