

## **MEDINA CITY COUNCIL MEETING MINUTES OF FEBRUARY 7, 2006**

The City Council of Medina, Minnesota met in regular session on February 7, 2006 at 7:02 p.m. in the City Hall Chambers. Acting Mayor Smith presided.

### **I. ROLL CALL**

**Members present:** Brinkman, Cavanaugh, Smith, and Weir.

**Members absent:** Workman.

**Also present:** City Attorney Ron Batty, City Engineer Tom Kellogg, Public Works Director Jim Dillman, City Planner Rose Lorsung, City Planner Consultant Sarah Schield, City Administrator Chad Adams and Recording Secretary Allison Burr.

### **II. PLEDGE OF ALLEGIANCE**

### **III. ADDITIONS TO THE AGENDA**

City Administrator Adams requested to remove item 9-A, Appointment of Finance Director, from the agenda.

Council Member Weir requested the addition of D under New Business in order to discuss making Public Works Director Jim Dillman an honorary resident of Medina.

Weir also requested removing C from the consent agenda for discussion.

### **IV. APPROVAL OF MINUTES**

#### **A. Approval of the January 17, 2006 Regular City Council Meeting Minutes**

Acting Mayor noted on page 3, the fourth paragraph from the bottom should include "serious" before "commitment from them."

*Moved by Weir, seconded by Cavanaugh, to approve the January 17, 2006 Regular City Council meeting minutes as amended. **Motion passed unanimously.***

### **V. CONSENT AGENDA**

- A. Approve Pay Equity Implementation Report**
- B. Approve Madeleine Linck to Elm Creek Watershed Commission**
- C. ~~Appoint Sharon Johnson to Planning Commission – Two-year Term~~**
- D. Resolution Accepting Resignation of Jeffrey Thul**
- E. Authorize Job Posting, Hiring Process for Police Officer opening**
- F. Approve Street Sweeping Services Agreement with Allied Blacktop Company**
- G. Approve Road Material and Equipment Specifications, Authorize Advertisement for Bids, and Set Bid Opening for 10:00 a.m. on Friday, March 17, 2006**
- H. Resolution Supporting CDBG Funding for Infrastructure Updates to the Orono Discovery Center**

- I. Resolution Supporting CDBG Funding of Senior Community Services' Tamarack Senior Center
- J. Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Public Improvements Associated with Medina Clyesdale Marketplace Development
- K. Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Public Improvements Associated with T.H. 55 South Frontage Road

*Moved by Weir, seconded by Cavanaugh, to approve the Consent Agenda with changes. **Motion passed unanimously.***

Weir stated Sharon Johnson previously served on the Planning Commission for three years and is an independent, thoughtful thinker and would be a good addition to the Planning Commission. Weir noted Johnson took the initiative to write an orientation for Planning Commissioners.

*Moved by Weir, seconded by Cavanaugh, to approve the two-year appointment of Sharon Johnson to the Planning Commission, as requested. **Motion passed unanimously.***

## VI. COMMENTS

### A. Comments from Citizens on Items not on the Agenda

Mike Steadman, 340 Bergamot Drive, stated he has concerns about safety in his neighborhood, the north end of Wild Meadows. He stated the neighborhood is 90 percent developed and is a wonderful area with lots of young kids. The concern is with traffic and speeding in the neighborhood. There has been an increase in patrols from police department, but the problem remains.

Steadman noted he has spoken with Dillman several times in the past and he has been helpful, but he would like to know if the City has any ideas to help control speed to avoid a catastrophe. He noted there is a large cul-de-sac where people can acquire a lot of speed going in and out of the subdivision.

Steadman suggested speed bumps or additional signage or perhaps reducing the speed limit from 30 to 20 mph. He stated the speeding is a concern of the majority of the neighborhood.

Smith asked if it is residents or nonresidents who are speeding. Steadman responded both are speeding.

Smith asked if there is a homeowners association meeting in the near future. Steadman replied an association meeting was held recently.

Smith suggested a member of the Police Department attend a future meeting to discuss the issue.

Cavanaugh asked if there is any signage like "Children at Play" in the neighborhood. Dillman stated the speed limit is 30 mph, and in other neighborhoods 20 mph advisory

signs have been put up as well as signs stating this is a residential neighborhood and to watch for children. He indicated perhaps those could be put up.

Corey Koskie, 161 Primrose Lane, stated he has three young boys and speeding is a big concern. Walking with the kids to the park is also of concern. He stated the sight line is of concern. He noticed some of the speeders are residents, plus there is ongoing construction as well as visitors driving fast.

Weir asked about the possibility of speed bumps. Dillman stated the policy is not to put them in because of maintenance and liability issues.

Weir asked why the speed limit could not be reduced. Dillman stated the State requires 30 mph on a dead-end road.

City Attorney Batty noted the City has less control over speed limits than one might assume.

Weir suggested Police Chief Belland be consulted about different enforcement and safety options.

City Administrator Adams stated the options available to combat speeding will be brainstormed at tomorrow's staff meeting and asked the residents to provide Dillman with their contact information for staff to respond to them.

Smith asked what the legality is in reporting a driver who consistently speeds. Batty stated Belland would be the one to respond to that.

Brinkman asked if there is a way to design a gateway into the community so there is no longer a straight run into the community. Steadman stated that would be a complicated issue with the homeowners association, but it would slow people down.

Weir reiterated the problem should be addressed by working with the police and through possible signage.

## **B. Park Commission**

Dillman stated the next Park Commission meeting is next Wednesday and, depending on a few issues in tonight's Council meeting, most of it will address open space.

City Planner Lorsung suggested all Council Members plan on attending the Park Commission meeting on the 15<sup>th</sup>. She indicated the speaker will discuss a report that Hennepin County is currently preparing that goes along with the natural resource inventory that was done several years ago. She stated the funding may have run out, because typically a report accompanies the inventory.

Lorsung also noted Saturday is the Winter Open Spaces Tour, and a few spots remain open on the bus. The tour will stop at seven sites in the City, leaving 9:30 a.m. and arriving back by noon, after which a small lunch will be provided and discussion held.

**C. Planning Commission**

Lorsung stated the Planning Commission meets next Tuesday. Several items are on the agenda, including two concept plan reviews for a facility expansion at 3900 Arrowhead and the Promenade at Medina on Hamel Road.

Lorsung noted the meeting will also discuss a new application for a 3-lot combination preliminary plat, the moratorium committee progress, and the grading, sign, and wetland ordinances are back on the agenda for final review.

**VII. OLD BUSINESS**

**A. Target Building Elevation/Cherry Hill Residents - Update**

City Planning Consultant Sarah Schield stated there are no updates other than what is included in the report. Multiple meetings have been held with different sections of the neighborhoods with Ryan staff, City staff, and Council representation. She noted Ryan is working on a report to show the residents at a date yet to be determined.

Smith stated it is her understanding Ryan will try to have another meeting to finalize the plans by the next Council meeting on the 21<sup>st</sup>. Schield stated she does not believe the plans will be final by then, but that a meeting with the residents will be held by then.

Schild stated she believes Ryan will be back before the Council probably at the March 6<sup>th</sup> meeting. Smith commented the process is going along very well.

**VIII. NEW BUSINESS**

**A. Final Plat, PUD Final Plan, CUP Withdrawal for Ace Properties Phase II – 5601 CSAH 101**

Lorsung stated Ace Properties has applied for final plat, final PUD plan, and CUP withdrawal for the property located at 5065 CSAH 101; this is the final phase of this project. She presented a power point presentation outlining the timeline of this project.

Lorsung indicated this project is Phase II of a small retail center located west of 101, north of 55, to the east of the Target site under construction. This is both urban and commercial zoning. She displayed a photograph of the property under consideration, showing the parameters of area.

Lorsung displayed a rendering of the final plat document showing the site. The site plan and modifications were reviewed, including putting the trash inside the building, increasing building size, and eliminating the drive-thru. The landscaping has been modified as a result of the last discussion. She displayed the easement sketch that Ryan and Ace Properties worked up.

Lorsung displayed a copy of the lighting ordinance, noting a few modifications still have to be made to it, as well as a copy of the building elevations.

Lorsung noted the applicant has proposed a couple different types of plants, both of which are attractive in appearance and are to be used for screening on the east elevation of the building, which is the rear of the building.

Lorsung discussed the honeysuckle proposed for the east side of the building as well as the prairie grass. She noted both plants retain their winter foliage.

Lorsung stated the Council is requesting to see the cross-section of a plan to see how grading works. She indicated the applicant provided a 3-dimensional cross-section of the site, and the grading does drop down to accommodate for the westerly facing portion.

Lorsung reiterated that in the final PUD plan, the developer has complied with the Council's requests including the landscaping, drive-thru removal, building size increase, and incorporating refuse into the building.

Lorsung stated staff is seeking approval of the final PUD plan as well as for the final plat. The final item is the existing conditional use permit (CUP). At this time staff does not see any need to continue use of this permit, Resolution 88-99.

Brinkman asked if, on the cross-section view of the project, there are trees on the west side of Phase I. Larry Palm, Ace Properties, stated a bunch of new trees are being added to the existing ones.

Brinkman asked why there are so many trees on that side and not on Phase II. Palm responded Phase I is the front side and Phase II is the back side.

Lorsung pointed out the landscaping on the west side and the eastern elevation where it needs screening because it is the rear part of the building.

Smith added the trees on the north side also help shield residents.

Weir asked why the project is not required to have decorative lighting to match that of Target. Lorsung stated the applicant felt it would be ideal to match the parking lot lighting on Phase I, which is identical.

Weir expressed her disappointment in the lighting because the building is oriented toward Target and would look nicer if it were the same as Target's lighting.

Palm stated the Target pole lights are much higher than the lights in the Phase II. There are engineering reasons for the lighting selection. Target lights at that height would create light trespass.

Smith stated lighting was one of the issues that came up with the Cherry Hill residents. Palm responded the lights are at a zero foot candle level.

Smith stated the lights do not need to be on as late as they are. Palm responded there have already been security problems with people trespassing in the area as well as defacement of the building. The lights cannot be turned off.

Smith stated Target has security lights only above doors, which are going to be allowed in the back. The lights in parking lot are to go off half an hour after the store closes except where employees park. She reiterated the parking lot lights do not need to be on all night or late into the night. They need to be held to the same standard that Target is being held to.

Lorsung stated staff will look up the language in the Ryan contract regarding lighting. She noted one of the conditions of approval is to revise the plan to factor in the luminaries in public right-of-ways.

Brinkman asked about various alternatives of lighting in Phase II. Palm noted the issue with HPS is light degradation. That type of lighting should not be used in this project

Smith stated the issue with the lights is not to have them on in the middle of the night.

Palm stated as it relates to Phase II, additional information is needed from the City. He noted there is already a zero light trespass. He stated he is willing to adjust the fixtures on those lights, but they need to be overlaid on the fixture plan or dark spots will be the end result.

Lorsung stated she provided the applicant with the public improvement plan with location of luminaries.

Eleanor Degman, 100 Clydesdale Trail, stated the lighting has been discussed with Gramercy residents.

Lorsung stated City staff has been working with Gramercy residents, and staff will continue to work with the applicant so that something is agreed on that is as dark- sky friendly as possible.

Smith stated there is always the issue of not having the lights on into the night. Lorsung responded staff can incorporate that into the PUD language.

Brinkman asked about various types of motion lighting. Palm responded motion sensors do not work and are not applicable in a commercial and industrial application.

Palm stated that he will be back before the Council to discuss how to increase security on the building. He noted in Minneapolis the average is 1.5 foot candle light for security, which is standard across the Metro.

Smith stated Target has had no problem with turning lights off in the lot. Palm responded it can be tried, but there have already been issues.

Brinkman asked the difference in floor elevations of Phase I and Phase II. Steve Oliver, project architect responded it is 6.5 feet.

Lorsung stated the fence is of concern to Cherry Hill residents. She visited the site today. The fence is a 6-foot cedar. She displayed on the overhead the location of the fence. She said if there is an extension of a fence, there would have to be a private-to-private agreement.

Lorsung stated perhaps the lighting ordinance should be reviewed and perhaps shorter poles should be required for commercial developments near residential.

Lorsung restated the desire of staff is to have authorization for the final plat and final PUD and release of the conditional use permit. Batty stated a resolution should be drafted for the conditional use permit.

*Moved by Brinkman, seconded by Weir, to authorize preparation of the appropriate resolutions and ordinance for Final Plat, PUD Final Plan, CUP Withdrawal for Ace Properties Phase II – 5601 CSAH 101, Resolution 88-99, as requested. **Motion passed unanimously.***

**B. Site Plan Review, Variances, CUP Amendment for PRC, LLC “Park Commons Retail” – 1400 Baker Park Rd. (CSAH 29)**

Lorsung stated this is the first time the Council is reviewing the project. It is the old Dairy Queen site near Maple Plain. She stated several property owners, the developer, and applicant are all in attendance at tonight’s meeting to discuss it.

Lorsung stated the site has four different sides of interesting uniqueness. The site to the north is residential; to the west is the City of Maple Plain; and commercial is to the south and east. The site is served by City sewer but not City water. Lorsung noted it is a 4-tenant retail center with 6,654 gross square feet.

Lorsung displayed an aerial shot of the site on the overhead and showed a number of pictures of the site, highlighting coniferous trees, fencing, and driveways near the area.

Lorsung reported as a result of transportation studies and working with residents, there is a concept design for the future public road that would serve multiple residents. Triggering the road construction in improvements to 29, including the median.

Lorsung displayed an overhead with the landscaping plan and noted the applicant meets all the landscaping requirements.

Lorsung displayed the lighting plan, noting it meets ordinance at this time. She noted the building elevations on the overhead. She stated there were two intensive transportation meetings. The variances requested tonight as a result of the reduced site plan are the parking setbacks on west and north, building setbacks on north and south, and impervious surface calculations. Additionally, the applicant wants to continue to use drive-thru.

Lorsung stated staff is recommending approval by inclusion of amended conditions. The Planning Commission recommended approval of all the variances as shown. The variances at the time Planning Commission reviewed them, however, were slightly different as the plans have incorporated comments from adjacent property owners.

Scott Baker, landowner of 13 acres to the east of the site, stated he has met with Palm and Lorsung throughout this project and supports it. He stated he would like clarifications on conditions for approval and noted he has distributed a letter to the Council stating his concerns.

Baker noted a number of changes he would like under Site Plan with Variances, which is page 8 of the Lorsung memo dated January 31, 2006. For item 2, Baker stated he would like his name added after “Holiday” and prior to “for drainage and ponding,” followed by the addition of “that is legally acceptable to Baker and Holiday.”

Baker noted for item 4, he would like the phrase “and provide assurances that Baker has right to use this road in common with other property owners for access to his property” after “future ROW.” He indicated the rationale for this addition is he wants assurances he will not be landlocked on this property. Though he has no immediate plans to develop the property, he wants to cover his bases.

Baker noted for item 10, he would like the phrase “that assures public access via this road owned by Palm, Baker, and Holiday” after “granted to the City.”

Baker stated he would like to create an item 12 that conveys the intent to address to his reasonable satisfaction the reasonable concerns raised in his letter of February 6, 2006.

Baker discussed his letter distributed to the Council. He stated there are some drainage issues that need to be addressed. Additionally, there will be some significant fill taking place on his property and he wants assurances that will not impact him should he develop the property.

Lorsung discussed specifics of the wetland situation and stated the applicant provided a wetland delineation which has been reviewed. She stated Palm’s plan in that area has received approval and is near the end of receiving approval from Minnehaha Creek Watershed District as well.

Lorsung stated when Baker originally came in for a proposed facility at his commercial site, he was looking to plat the property and as a result of gaining access to the private road, an easement of 10 feet was going to be granted. Lorsung stated the City wants to take over jurisdiction of that road to make it into a public road. The City is getting half easement from Palm. She added the pipe is going to be on the 10-foot area on the westerly edge of Baker’s land.

Weir asked Lorsung if future development will affect the wetland. Lorsung stated the City’s wetland consultant has reviewed it and deemed it de minimis.

Smith asked about the topography mentioned in Baker’s letter. Lorsung responded if Palm gets water from Maple Plain, he wants to put the pipe under the road to get the water service over. That water will be the benefit of all the properties over there and hopefully Baker and properties to the north can also be served.

Steve Oliver, architect for project, stated Baker is concerned by the ability to drain sanitary sewer westward. The service serving Palm’s site is at a higher elevation but is disconnected from the easterly site. He stated whatever serves Baker’s parcel would be placed in the right-of-way in that loop road.

Weir asked if a lift station will ever be required. Discussion ensued between City Engineer Kellogg and Oliver about the possibility of a lift station.

Lorsung stated currently the lift station is a non-issue.

Baker stated he expects there will be an agreement to have the ability to grade. He noted point 9 if his letter to the Council is to ensure the 8-inch water main is within the easement area. He stated his advisors are recommending it be within an easement.

Oliver stated on his utility plan they are 1 foot north of the existing 25 foot easement. To move it further, a storm water line may be encroached upon. To move them further south in the easement would mean perfectly good road would be torn up. The goal with the location of the watermain as it is extended eastbound is to get it out from any work Palm is doing.

Baker stated his last point is item 15 on the letter. A 60-foot right of way is being specked, and he is fine with that inasmuch as it can carry 4 lanes of traffic which could include turn lanes.

Baker stated he is currently in an office park in Wayzata and there are only two lanes, and traffic is very easily backed up. He stated he would like opportunity in the future to open it up to four lanes if density requires it.

Lorsung stated the transportation engineers have reviewed this as well as MnDOT and they are satisfied with this as well as future build-out of the area.

Further discussion was held regarding water and well. Weir stated the well situation should be included as a condition.

Batty stated the condition should state the well should be handled in accordance with State law, which probably means capping. The issue should be expressed in terms of compliance with State law.

Lorsung stated residents from the north side have worked with the City. At this time they are not in favor of providing easements at this time. The City would be looking to construct the road, whether it be 5 or 10 years. At this time the City is not looking for any easements or land dedications from property owners to the north.

Bob Barrett, 1432 County Road 29, stated he is the adjacent property owner. He stated he would like to affirm what he expressed on the 29<sup>th</sup> of November, which was he is not interested in having an easement on the property at this time. If a road were to go through, he would lose the trees that were put in years ago when the Dairy Queen was first put in.

Barrett stated other aspects of the project are fine, and if someday he and his wife decide to sell the property and a commercial entity buys it, then they can enter into an easement.

Bev Barrett, 1432 County Road 29, stated she and her husband did not receive a record of the last memorandum cited.

Lorsung stated the memorandum with respect to the Barrett property has not changed at all.

Weir stated the building is handsome from the south, but from the north, where it faces a public road, it is very blank. Palm responded that side is where the drive-thru is located.

Weir stated it is not very sightly for a public road and she is tempted to ask the applicant to consider decorative sconces like those used at the 101 site for Gramercy's sake.

Palm noted trellises will not work on the north side and suggested maybe the windows be carried around to that side. That alternative would be easier than putting a trellis since there is no room there.

Brinkman inquired if an accent band would be put at the opposite end of the window. Lorsung stated she will work with the applicant on that.

Lorsung asked if the Council wants to consider Baker's additional recommendations prior to making a resolution.

Adams stated perhaps the staff should collectively discuss the recommendations first.

Batty noted additional time needs to be taken in order to review Baker's letter.

Lorsung suggested a motion be made to direct staff to work with Baker.

Batty asked about the deadline. Lorsung stated the deadline is February 28.

Batty responded the Council is still within the deadline, but it has to figure out how to evaluate these new issues. He suggested authorizing preparation of the resolutions.

*Moved by Weir, seconded by Brinkman, to require staff to prepare a resolution approving the site plan review, variances, CUP amendment for PRC, LLC "Park Commons Retail" – 1400 Baker Park Rd. (CSAH 29), with the inclusion of the well being capped according to PCA standards and the architectural additions as requested.  
**Motion passed unanimously.***

### **C. Inflow/Infiltration – Independence Beach Sewer System**

Dillman stated the Independence Beach sewer system presents a significant Inflow/Infiltration problem (I/I). While he does not believe Medina should have to spend the money to put a meter in, the City needs to know what is coming into its system, due to the surcharge program in use by Metropolitan Council Environmental Services (MCES).

Dillman requested authorization to obtain quotes for the I/I and also for installation of a flow meter. He stated he talked to the City of Independence, and it is trying to float a bond to raise money to fix its I/I, after which it intends to sign an agreement with Medina.

Smith asked for clarification whether Medina has signed an agreement with Independence. Dillman stated no agreement has been signed, but Independence understands it will be necessary.

Smith inquired if it is possible to get Independence to pay for the study. Dillman stated MCES will bill Medina, and then Medina receives credit towards the \$150,000 surcharge only if I/I is found.

Cavanaugh asked for the amount of money Dillman is requesting. Dillman stated he requested \$80,000 be set aside in the 2006 sewer budget for this type of study and repair.

*Moved by Weir, seconded by Cavanaugh, to approve securing quotes for Inflow/Infiltration for Independence Beach Sewer System and for a flow meter as requested. **Motion passed unanimously.***

Cavanaugh asked if there is a requirement that failed sewer systems hook up. Dillman responded he is not sure, but he will find out that information.

Smith asked if this issue came up at the Independence meeting. Weir responded no, it did not come up.

Smith inquired when the City can expect this to be completed. Dillman responded fairly soon, because it needs to be done before the frost is out.

**C. Jim Dillman – Honorary Medina Resident**

*Moved by Weir, seconded by Brinkman, to make Jim Dillman an honorary resident of Medina. **Motion passed unanimously.***

**IX. CITY ADMINISTRATOR REPORT**

**A. Appointment of Finance Director**

This was removed from the agenda.

**B. Hamel Community Building**

**1. Operational Control**

Adams stated in the past there have been discussions about incorporating into the budget the City taking over more operational control of the Hamel Building. At this time, he wants to ensure the Council is still in favor of that course of action.

Adams added another option currently available is a local church has expressed interest in using the building on occasion and can perhaps take over the office duties.

Weir asked if the Lions could still use the building. Adams stated they can continue to use one of the two offices there.

Weir noted the Lions do have history with the building. She added that an alternative is to bring operational control in-house and have the City handle it. Adams stated the key problem is how the City would show the building. The lines of communication will have to be strong and efficient; otherwise City staff would be running up to the building to take care of things constantly.

Cavanaugh asked if the church has resources to do this. Adams responded it is a Plymouth church looking to branch out and grow their congregation. They offer staff resources to take reservations of the building for the City. He noted how that would work out between City and Lions may be complicated, because of three parties being involved, but it is a possibility. He stated it would be more cost effective for the City.

Cavanaugh requested Adams set up a meeting with Lions and the church. Adams responded he is trying to set that up, but he has not heard back from the Lions recently. Adams noted the Lions have also suggested stepping back on the reservation side.

Cavanaugh stated perhaps the church, the Lions, and the City can all fund an online reservation system.

Cavanaugh asked if the policy coming through the Park Commission would create more work. Adams responded the more policies and regulations, the more enforcement that becomes necessary.

Smith stated the key issue is the setup. It is not fair to require City staff to set up tables and chairs, so there should be a setup fee.

Cavanaugh suggested no setup should be required. If users of the facility want chairs, they can go in the garage and set up them themselves.

Adams stated one of the reasons the City/Lions wants to handle setup is for the purpose of inspecting the equipment during setup and again afterwards. There have been incidents where food stains, or damage, have occurred on some chairs/equipment.

Weir suggested the Council give the church six months or a year to try out the arrangement to see how it goes.

Cavanaugh added if an arrangement is made, the City should be sensitive to the Lions. Adams agreed with his statement.

Weir stated during cleanup after a skating party, she noted the kitchen floor needs to be scrubbed. She asked if a professional cleaning company can be retained to clean periodically. Lorsung suggested adding the Hamel Building to the quarterly cleaning schedule.

Smith suggested it might be beneficial for the Lions not to have to do everything related to the Hamel Building, but rather be able to focus on certain things.

Smith stated at the next Park Commission meeting, there may be discussion related to the fee schedule discussed. Adams indicated he will pass something out on the fee schedule at the next meeting.

Adams concluded that at this point the City will keep its options open with the Hamel Building and he will continue to communicate with the Lions and the church, or other options.

## **2. Vending Machine**

Adams stated the Park Commission recently recommended to the Council that a vending machine be installed outside of the Hamel Community Building by the Hamel VFD for fundraising purposes. Adams stated he requested that the issue be sent back to the Park Commission because they did not have all the information available.

Adams stated a couple of nonprofits in the Hamel area would like the opportunity to stock and use the vending machine as part of their own operation. Alternatively, the City could work with a vendor and direct revenue to the Parks Department. A church has also expressed interest in the possible vending machine.

Brinkman indicated it would be nice to have a vending machine or two at the Hamel Building.

Adams asked that the issue be deferred back to the Park Commission and indicated he will report to them that the Council is interested in the City owning the vending machine.

*Moved by Weir, seconded by Cavanaugh, to defer this issue back to the Park Commission to evaluate the options and requests. **Motion passed unanimously.***

### **C. City Hall Renovation**

Adams stated the contractor is preparing to create a punchlist, including carpet, front doors, and other things. In terms of cost, with all the change orders, minimal funds remain to purchase equipment and furnishings for the office that are needed to operate at a better efficiency level.

Adams stated he is seeking an additional \$20,000 out of the revolving loans fund to acquire additional pieces of equipment. Included in that equipment is a new audio-visual system for Council chambers that includes microphones, a drop-down screen, and recording system.

Adams asked if the Council would like new chairs for the chambers. Weir stated she is happy with the chairs if the arms are redone.

Smith stated it would be nice to have the arms redone, and the audio-visual equipment is really needed.

Cavanaugh asked if the renovation is \$20,000 over budget. Adams responded affirmatively. The original budget was for \$230,000, which included \$35,000 for furnishings and equipment.

Adams noted that the change orders for windows, doors, and other necessities pushed the renovation over budget.

Weir asked how the Police Department's renovation is coming along. Adams responded the renovation in the Police Department has unfortunately distracted employees more than expected. The entire renovation project was supposed to be complete in December.

Adams noted a staff meeting will be held Friday morning to ascertain staff needs.

Cavanaugh inquired about the possibility of televising the Council meetings. Adams stated from a dollar standpoint it does not make a difference. The process entails giving the Lake Minnetonka Cable Commission (LMCC) the go-ahead, and there is no cost.

Weir asked where the meetings would be played on television. Adams responded the meeting would be shown on local access channels on Mediacom.

Weir stated it makes sense to air the meetings if there is no cost to the City, particularly since there is limited newspaper coverage.

Smith suggested the newspaper do a mailing in the spring with a coupon special to increase newspaper coverage.

Smith asked about the area Mediacom covers and whether satellite services carry the meetings.

Adams noted another issue to discuss is wireless internet. Some places are now broadcasting meetings over the internet live, but that creates an issue for the City because Medina does not currently have very good high-speed internet access. That would put additional pressure on the City to get improved high-speed internet.

Cavanaugh asked for the status on high-speed internet. Adams stated that is a good discussion topic for the retreat. The LMCC is looking at getting area cities on one system.

Adams stated Chaska has excellent high-speed internet, and residents can purchase access for only \$16 a month. Chaska is able to do this because it has utility poles in place to put all the antennas on as well as existing staff to handle it. Chaska's system has been showcased around the region/nation.

Batty noted that when considering televising the meetings, the physical location of the camera and camera person need to be addressed.

Sue Van Cleaf, South Crow River News, stated ideally there would be two or three cameras, one with a wide shot and one on the person who is talking. Microphones would be required with cables going into a mixer. She continued that alternatively, one camera can be used that zooms back and forth, in which case the camera would be off to the side.

Adams stated if the Council decides to televise the meetings, the tapes become part of the public record. He noted it is easier to get everything accurate when there is a clear tape rather than trying to subjectively figure out what was said. Adams stated he will put this topic on the next agenda.

Brinkman stated at the next Council meeting he would like to see a breakdown of what happened in terms of the renovation exceeding the budget.

*Moved by Weir, seconded by Cavanaugh, to approve use of up to \$20,000 from revolving loans fund for additional equipment and furnishings for the renovation. **Motion passed unanimously.***

Weir asked Lorsung about the Woodlake Sanitary Landfill meeting next Tuesday and if anything has been done about well testing. Lorsung responded she can report back on that after next Tuesday's meeting. Lorsung stated the City is unaware if private testing of the wells has been done at this time.

## **X. MAYOR & CITY COUNCIL REPORTS**

Weir stated there was a Moratorium Committee open house and turnout was good. Lorsung indicated between 35 and 40 people attended the open house.

Weir reported the committee is moving along well. One last meeting will be held tomorrow, and then recommendations will be made regarding proposed ordinance changes. She inquired about the procedure about reporting back to the Council with the recommendations. Lorsung stated the issue will be presented at every Planning Commission and Council meeting until the Council and public are comfortable with potential changes.

Batty stated he drafted an ordinance today into which all the various changes can be inserted once they are finalized tomorrow night. The lot width and setbacks, everything other than the tree ordinance, can be finalized tomorrow and will be available for the Planning Commission next Tuesday. Lorsung added the tree ordinance should probably be ready for review by tomorrow.

Brinkman asked what lot width is being proposed at this point. Weir responded 300 feet with all around 50-foot setbacks.

Brinkman asked if there is a way to avoid long and narrow lots. Weir responded the committee looked at that because Independence has a similar ordinance, but the committee could not make it work with flag lots.

Smith had a question regarding protected tree guidelines and how much disturbance can occur. Weir responded it will be dropped to 2 acres.

Lorsung added there are two different types of trees being identified. In the protected wooded areas in the City and in the residential areas up to 1 acre of the protected can be disturbed without having to mitigate. In commercial areas up to 2 acres can be disturbed. Lorsung noted that these regulations are only for protected wooded areas in the natural resource inventory. There are other tracts of trees where up to 10 acres for residential and 20 acres for commercial can be disturbed.

Smith asked if for residential, someone can disturb as many trees as they want. Weir responded only up to 1 acre can be disturbed.

Lorsung added that applies only for the protected wooded areas.

Weir noted the committee has developed a tree preservation and replacement policy. Lorsung added the whole section is still being developed and is up for review, debate and discussion. She stated the committee would like to include a maximum amount of trees that can be disturbed.

Smith stated she does not understand why a resident can disturb up to 10 significant trees and inquired for the rationale behind it. Weir responded 10 is an arbitrary number, and there is an interest in being reasonable. The language had to be altered because these are less-wooded sites.

Smith stated she believes this language will encourage people to clear-cut.

Lorsung stated the policy can be put in terms of number of trees or caliper inches.

Smith responded she would prefer cutting down 1 or 2 acres and then have the mitigation policy kick in. Lorsung stated perhaps that section can be left blank to allow

for additional public input. The point at which mitigation should be triggered needs to be determined.

Cavanaugh stated he likes the idea of a City library sometime in the future, perhaps five years down the road, and is not sure what the process is to go about it.

Weir stated there used to be a library in Medina but the circulation was too low. Smith indicated there is still a library-mobile that travels around.

Adams indicated the topic of a library will be added to agenda for the retreat on the 25<sup>th</sup>.

**XI. APPROVAL TO PAY THE BILLS**

*Moved by Weir, seconded by Cavanaugh, to approve the bills, order check numbers 028943-029029 for \$475,894.43, and payroll check numbers 019721-019749 for \$30,863.27. **Motion passed unanimously.***

**XII. ADJOURN**

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

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Carolyn Smith, Acting Mayor

Attest:

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Chad M. Adams, City Administrator-Clerk