

## **MEDINA CITY COUNCIL MEETING MINUTES OF JULY 5, 2006**

The City Council of Medina, Minnesota met in regular session on July 5, 2006 at 7:01 p.m. in the City Hall Chambers. Mayor Workman presided.

### **I. ROLL CALL**

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

**Members absent:** None.

**Also present:** City Attorney Ron Batty, City Engineer Tom Kellogg, Police Chief Ed Belland, City Planner Rose Lorsung, City Planner Consultant Sarah Schield, City Administrator Chad Adams, Public Works Superintendent Joe Paumen, and Recording Secretary Lauren McKay.

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

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

Workman changed the closed session from Item 10 to Item 12.

Adams added Item B to Consent Agenda regarding the resignation acceptance of Janet Olson.

Adams added Item 9C regarding the job search for Planning and Public Works Assistant.

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

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

#### **A. Approval of the June 20, 2006 Regular City Council Meeting Minutes**

It was noted on page 8, the top paragraph there should be a change to the last sentence to read, "Weir stated that it was her intent to prevent pre-emptive cutting, and as written, subdivision 5 invites pre-emptive cutting."

Councilmember Weir stated she counted 22 grammatical errors and pointed out clerical errors. She stated she would like the minutes to be more grammatically correct. Adams was requested to make grammatical changes at his discretion.

*Moved by Smith, seconded by Weir, to approve the June 20, 2006 regular City Council meeting minutes as amended. **Motion passed unanimously.***

### **V. CONSENT AGENDA**

- A. Approve Consent to Perpetual Conservation Easement for Wetland Bank**
- B. Resolution Accepting Resignation of Janet Olson**

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

## **VI. COMMENTS**

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

There were none.

### **B. Park Commission**

Adams stated July Park Commission will include Capital Improvement plan and general budget overview. He stated they are pretty up-to-date regarding everything else.

### **C. Planning Commission**

Lorsung outlined issues for the next Council and Planning Commission meetings that were also referenced in her packet report.

Smith commented she appreciated the outline of all ordinances needing review.

## **VII. OLD BUSINESS**

### **A. Ordinance Related to Tree Preservation and Replacement**

Lorsung reviewed the changes Staff made to the tree ordinance since the June 20<sup>th</sup> meeting:

1. Definition for principle structure added
2. Pre-emptive cutting clause added
3. Language regarding private driveways was added in the exemptions section
4. Modified allowed disturbance section
5. Building footprint illustration was added

Lorsung explained the illustration to the Council and noted the changes as requested by the Council. She stated Staff is not comfortable with the ordinance and would like some time for additional modifications. She stated the ordinance does not necessarily stop clear-cutting.

Weir stated she would not vote for the ordinance because it invites unwanted behavior with very little consequence. She stated she would rather have applicants work with Staff with the current ordinance. She stated she does not like that it applies post-subdivision and she does not believe it does anything to preserve trees.

Smith suggested deleting Subdivision 5. Workman asked about the impact of removing Subdivision 5 and stated the ordinance still allows pre-emptive cutting. Weir responded she believes the Subdivision invites the idea of pre-emptive cutting.

Workman stated the ordinance will raise awareness of significant trees.

Smith asked if private roads should be exempt. She said the ordinance addresses property after subdivision and the private roads would be installed pre-subdivision. She stated her belief that a private road into a subdivision should not be granted immediate amnesty under the ordinance, but that a person's driveway should.

Smith stated her inclination to remove the private road language. Weir explained the difference between a private road and private drive. Smith added further that private drives come off of private roads and that roads are in a different category than drives.

Brinkman stated private roads should be discussed with the City before they are installed.

Smith stated she believes language regarding undeveloped land should be added. She suggested language reading "no more than 1 acre of trees may be removed from undeveloped land without a tree survey and preservation plan." She stated it would provide another protection against clear cutting since property owners would have to perform a tree survey and have an approved plan.

Smith stated such language does not disallow residents cutting down trees on their property and property owners would be one step ahead when they are ready to develop because significant trees would be identified.

Workman stated his belief that property owners should be able to do what they want with their private property. Smith pointed out many instances in which the City restricts what can be done with a property.

Batty stated there is nothing illegal with such language and that it is a policy question for the Council. He stated the currently proposed ordinance is triggered when a parcel of land has been subdivided and that Smith's suggested language would extend to pre-subdivision.

Brinkman expressed his support for the added language, even if the City has to participate financially.

Smith stated she believes the language is an option that will help with the clear-cutting issue raised by Lorsung. She explained it is the City's responsibility to conserve its old-growth forest and adding the "undeveloped land" clause would be helpful. She stated the clause will send a message that trees are a valuable natural resource and encourages citizens to think before clear-cutting.

Brinkman noted that some cities have an on-staff or consulting forester. He suggested Lorsung look into such an idea to help make sense of the tree ordinance.

Workman stated his concern is there will be quite a bit of additional language added to the ordinance. Smith suggested taking language from Subdivision 7, which says, "no more than 1 acre of 'significant trees' may be removed from undeveloped land without a survey and approved tree preservation plan."

Brinkman and Weir asked for clarification about how the acre is measured. Lorsung explained a polygon could be drawn around the significant trees. Smith further explained that she believes one acre of land can be cleared.

Cavanaugh asked for clarification about undeveloped land and asked how the acre is measured. He stated he does not believe there should be an added expense to property owners.

Brinkman stated many Cities do not even allow an acre of significant trees to be cleared and many require tree preservation plans.

Workman asked if the language pertains to agricultural land. Smith replied she does not believe there is any agricultural land in Medina. Workman stated he believes agricultural land has certain statutes. Weir said the statutes would be state regulated. Batty stated there would be many requirements and he would do some research.

Cavanaugh stated he believes the ordinance language discussed at the last meeting was very fair. He said he supports an ordinance that does burden residents with additional restrictions or costs. He expressed his continued support for the private road exemption.

Brinkman said he believes the private road exemption would be very harmful and the proposed clause would be better for preservation.

Workman stated he is okay with the ordinance as is. He said the language suggested by Smith could be added to the open-space ordinance. Smith replied that the problem with the open space ordinance is that it is a year or two out and not all developers will presently be conscious of the trees.

Smith suggested adding maps of woodlands that would be protected.

Workman stated if a property owner knows ahead of time about significant trees on their property by means of a map, he is okay with the added language.

Smith asked if it is possible to add the clause and map. Lorsung replied that it is possible and asked what parameters Smith would like applied to the map. Smith suggested the conceptual greenway map and that it would be easy to tell what areas are special and significant.

Brinkman noted the ordinance is not being changed regarding home sites and that the added language will address the issue of main roads being clear-cut.

Cavanaugh stated his belief that landowners will be upset when they want to build and encounter extra restrictions and costs. He stated one acre does not appear restrictive when property owners are not seeking permits.

Cavanaugh asked if the issues up for debate in the ordinance are private roads and the one-acre restriction on undeveloped land. Weir stated she is disinclined to allow private roadways to be allowed without any replacement. She asked how the Council will develop requirements for private roads in subdivisions.

Smith suggested "removal of trees located within the public right of way or private road of a subdivision that is to be zoned residential if there is no alternative."

Lorsung pointed out the best management practices in Subdivision 9. She stated those could be requirements for tree preservation.

Cavanaugh clarified the parameters of the ordinance regarding house pad, septic, driveway, and lawn. Lorsung clarified the language. Cavanaugh asked if the issue is public vs. private roadways.

Smith stated the private road, not the public right-of-way was added. She stated if best management practices were followed, it would make more sense than having the private road language included. Brinkman stated the best management practices would provide guidelines.

Lorsung explained how the best management practices could be used in a practical situation. Smith added that it requires the City to follow the same best practices.

Weir asked if the Council could go ahead with changes. Adams said it would go back to staff with corrections.

Cavanaugh asked the benefit of adding the best practices. Lorsung replied it saves money, time, and preserves such things and is often a win-win situation.

Brinkman asked if mitigation should be stated. Smith said that it should.

Weir and Workman said the ordinance should go back to Staff for redrafting. Adams agreed.

Smith said the best management practices are better for developments and it might solve all problems.

Lorsung clarified that she is being asked to delete Subdivision 5, assuming language about exemptions and best practices will be discussed under Subdivision 6, Item C. She stated she will work with legal counsel on the language. She stated she is being asked for a map of significant trees. She stated Item E will be added with the language specified by Smith.

Lorsung asked if the City should come up with a definition for undeveloped land. Batty agreed it is a significant issue. Lorsung stated the ordinance will not be triggered by a land-use application or permit.

Weir asked how the issue of tree preservation will come to the City's attention if the trigger is not an application. Lorsung suggested several options.

Batty stated it would be similar to other ordinances that protect wetlands.

Workman discussed the maps and that he is not satisfied with the greenway map. Lorsung stated the Greenway is not the best illustration. She stated there is a map that outlines the City's big woods and other significant trees.

Brinkman stated he believes a stand of significant trees, not just individual trees, should be included.

Workman stated his concern is over-regulation and asked Lorsung to work on the ordinance.

The Council reached consensus to send the ordinance back to Staff for redrafting language.

## **VIII. NEW BUSINESS**

### **A. Selection of a Facilities Master Plan Consultant**

Adams stated that the Citizen's advisory committee has made recommendation for appointment and committee member Diane Jubert Rouillard is present to answer any questions.

Ed Kodet, of Kodet Architectural Group, explained the background of his firm and noted several large projects on which he has worked. He continued to outline his firm's fees. He stated he believes that environment is very important in design. He added that a LEED-certified design is important.

Kodet outlined the process his firm and the City would follow, which includes the following steps:

1. Orientation
2. Listening
3. Brainstorm
4. Outline
5. Review
6. Summary

Kodet stated if the project goes ahead, it will ultimately result in design and construction. He outlined the website for the proposal and that all information regarding the project will be available online.

Kodet stated the City's property has three functions: City Hall, Public Safety, and Public Works, which is now located on an 11-acre site. He stated staying on the present site would present a challenge and it is very important to have adequate land as the City grows.

Kodet said that the heritage and culture of Medina is important in planning of the City.

Kodet outlined issues with City Hall and the Public Works Building.

Kodet went through the criteria the firm will address in terms of City Hall, Public Works, and Public Safety. He presented the schedule and said it is very flexible. Kodet summarized the firm's approach and how it will help the City make effective decisions.

Weir commented that the firm is very well qualified and asked why Staff recommended extending the timeline until May. Adams explained that the City has other priorities that take precedence, including the Comprehensive Plan, Open Space Planning, elections, etc. He stated the committee requested the timeline be extended as well.

Smith added that she believes the LEED standards are critical and that she would like to reach for gold or platinum level.

Cavanaugh asked if the City will also identify citizens' needs and desires. Kodet replied that the committee is involved in the process. He stated that it involves a balance of many factors also, such as public safety. Adams stated the committee is looking at many issues.

Brinkman stated he would like to ensure the City acts responsibly and would like to enjoy the existing sites before spending money on further projects.

Brinkman asked that the Council identify potential sites and purchase the land immediately for future expansion. Workman stated there should be a facilities plan first, which is the current issue being discussed.

Cavanaugh agreed with Brinkman that fiscally responsible management of the City would entail planning for the future and, in the same vein, purchasing land.

Kodet suggested the City begin with the facilities plan, which will then help the City determine how much land is needed. He suggested the City determine how far out they want to plan. Workman stated the Comprehensive Plan plans 40 years out and Brinkman and Cavanaugh agreed they would like to plan that far out.

Adams stated that Staff is looking for direction regarding preparing a contract with the firm and an RFP proposal. He also stated Staff is looking for potential Council liaisons to attend the monthly progress meetings for the citizens' advisory committee.

Smith left the meeting at 8:20

*Moved by Cavanaugh, seconded by Weir, to approve Selection of a Facilities Master Plan Consultant, as requested, and to direct staff to prepare and execute a contract.*

***Motion passed 4-0 (Smith absent)***

Smith returned at 8:22

The Council discussed the issues surrounding the appointment of the Council representatives to the advisory committee. Brinkman and Workman expressed their desires and were selected to be the Council liaisons to the advisory committee.

**B. Willow Hill Preserve -Preliminary Plat for properties located at 2492 and 2520 Willow Drive**

Schild presented the Council with the plat presentation. She stated the application was originally submitted on September 19, 2005, but was subject to the moratorium in the Rural Residential zoning district. She stated the applicant re-submitted the original application as it was not affected by the changes resulting from the moratorium.

She stated the site is heavily wooded and explained where the current and proposed home sites are located. She explained the topography and physical aspects of the site. She stated there are wetlands on the site, however, the quality of the wetland in the

middle of the site is quite low. She stated the majority of the property consists primarily of a Maple Basswood forest.

Schild stated the proposal is to relocate the access onto Willow south to provide a better approach for site clearance. Smith asked for clarification regarding the proposed drive site. George Stickney, representing the applicant, explained where the drive would be moved and how it would be improved.

Smith asked if the developer will have to clear trees. Stickney replied they would. Weir asked if more trees would have to be cleared if the driveway was left where it was. Stickney stated that more trees would have to be cleared to keep the current driveway.

Schild stated there were two main issues brought up at the Planning Commission's public hearing: driveway and road access, and tree preservation.

Schild stated the Planning Commission does not have much discretion regarding the preliminary plat. She stated the application meets the requirements for a preliminary plat and the required acreage has been submitted. She pointed out the existing and proposed lots.

Schild explained the road curvature and need for better sight lines. She stated low-impact development was discussed with the developer. She stated Fire Marshal Loren Kohnen reviewed the proposed changes of the driveway.

Schild stated Kohnen preferred the driveway be 24 feet wide for the first 150 feet of the drive. She stated the reduction of the drive to 20 feet would require the applicant to go through the variance process, which is a condition of approval. She stated that Staff believes because of the trees on the property, a variance should be granted. She suggested the Council discuss street width.

Schild stated the developer has proposed a tree preservation plan and described the plan. She stated the developer has done an excellent job preserving trees.

Schild addressed the Parks Commission request for 45-feet of additional right of way which would allow for Willow to be moved to the east which would allow for future trails to be located on the west side of the road. She stated the Park Commission discussed taking cash instead of the land and that three units would be eligible. She stated that Staff recommended the developer get two credits for the homes for cash vs. land on the property.

Schild stated the public hearing went well and the adjacent property owners were concerned with construction traffic and building pads. She noted the citizens were reminded such issues would be addressed after the approval of the preliminary plat.

Weir stated she would be interested in changing the road-width code to meet low-impact designs rather than having to go through variances. Smith questioned why 20 feet is required. Workman stated that 20 feet is the minimum width required for fire lanes.

Schild stated there is a tension between safety and preservation. Smith said she would like sprinkler systems in homes. Workman noted that 20 feet was already a compromise from 24 feet. Smith stated she agrees with Weir that the road width should be changed.

Lorsung stated Staff's concern is that citizens in Medina want the City to allow property owners to maintain their own properties and roads. Lorsung stated she does not want to go against the Fire Marshal's recommendations, but does not want to see an unnecessarily wide road. She stated she would like to exhaust all best management practices before a road is built.

Brinkman stated he does not believe the City should reduce the road below 20 feet. Smith stated her problem is to build for contingencies. Workman and Brinkman stated they are concerned about ensuring the road is wide enough for daily use.

Workman stated that changing the ordinances is a separate issue and must be addressed at a different time. Weir expressed her support for the variance. She asked about the tree preservation plan. Stickney stated the tree preservation plan is not a legally binding document, but that the development will restrict how many trees the property owners can cut.

Weir asked about future tree preservation. Stickney stated there will be covenants governing how the property can be used and altered.

Stickney also explained how the proposed driveway access on Willow will preserve more trees. Brinkman asked if 150 feet at the beginning of the driveway is necessary. Stickney stated the Fire Marshal compromised on 150 feet down from 200 feet.

Schild stated that the preliminary plan should be more restrictive which would allow for more negotiations in the latter stages of the development. Weir asked if a variance would be necessary at this point.

Smith stated the Council should direct Staff that they wish for reduced road widths and radiuses. She stated the Council needs to send a clear message.

Weir asked if the existing driveway stub will be broken up and re-planted. Stickney stated the majority of the stub will be incorporated into the new roadway.

Weir asked about the existing homes on the property. Stickney stated one of the homes will be removed and one of the homes was recently remodeled and may stay.

Schild stated that the Kohlen's recommendation is for the drive to be 24 feet wide for the first 150 feet and 20 feet until the 90 foot cul-de-sac.

Smith stated she does not support such a recommendation. Cavanaugh expressed his concern about the Council's suggested change in width, which is against the recommendation of the Fire Marshal.

Weir stated she is willing to support the current proposal but would like to recommend negotiating road width with the Fire Marshal.

*Moved by Weir, seconded by Smith, to authorize staff to prepare the resolution for Willow Hill Preserve – Preliminary Plat located at 2492 and 2520 Willow Drive, as requested. **Motion passed unanimously.***

**C. Investment Policy**

Adams stated the discussion regarding the City's investment policy is being brought back from the last Council meeting. He stated Staff is working on other policies which will not be coming back to the Council for several meetings.

Finance Director Jeanne Day stated the investment policy is based on the recommendations from City auditors after their review of the 2005 financial statements. She stated GASB 40 was implemented for the 2005 fiscal year and one of the recommendations within that is to have an investment policy.

Day stated all of the policies are being presented in a package, but at the request of the Council, she has prepared the specific investment policy. She described the various sources she used to develop the investment policy.

Weir asked about the designated Treasurer. Adams and Day responded Adams is the designated Treasurer, but the Finance Director will handle the day-to-day management.

Workman stated he reviewed the policy and believes it is excellent. He stated there are several safeguards, which protect the City.

Cavanaugh asked about controls over wire transfers. Day responded that transfers from one City account to another require one signature. She explained that any outside expenditure requires Council approval. She stated the only exception is payroll because it is processed every two weeks, and the City Administrator has the authority to release payroll funds.

Day explained that Minnesota State Statutes govern City expenditures. She stated the City is discussing how those processes will be integrated into the City financial plan.

Cavanaugh asked what active controls the City has regarding online banking. He questioned how online transfers are secured. Day stated if it is within a City account, only one signature is needed, and any outside transfer requires an authorized signature and password. Day stated if a transfer is requested for an outside source other than those listed, an e-mail is sent to both her and Adams requiring the second authorization.

Workman stated he is happy with the financial direction in which the City is going.

Brinkman asked about the language surrounding the signatures required and whether or not the language is correct when it states signatures from two Staff members are required, rather than from a Staff member and Councilmember. Workman stated he does not believe a Councilmember's signature is necessary.

Workman explained that any large transactions have two signatures. Brinkman asked if, rather than two employees being able to authorize a transaction, a Councilmember should be a required signature as well.

Day clarified that the policy being reviewed is an investment policy and that it does not apply to the payables. Workman stated that the investments are being made within Medina's accounts and any money that is transferred requires one employee signature.

Brinkman asked how much can be transferred within the City's own accounts. Workman stated theoretically, all of the City's funds could be transferred. Day replied that it could be transferred in theory, but state statute regulates such transactions.

Day explained that it is the Finance Director's responsibility to manage the accounts and transactions. Day stated that for investment purposes, the finance director needs the ability to make quick decisions. Brinkman stated he believes two people should have to review a transaction before it takes place to ensure it is a responsible transaction.

Workman explained how the investment firms protect their customers.

Day clarified for Cavanaugh that online banking is available, but no person in the City has the information to access it. Workman asked Adams to send correspondence to Farmer's State Bank to disallow any online banking without approval from the Council.

Workman asked Day to explain the benefits of continuing the exclusive relationship with one bank. He asked if other banks may provide better services and asked if the City should explore other banking options.

Day stated that Farmer's State Bank has been extremely accommodating to maintain the City's business. Day explained the ways in which Farmer's has accommodated the City.

Adams stated the on-line banking item would be followed up on.

*Moved by Weir, seconded by Smith, to approve Investment Policy, as requested.  
**Motion passed unanimously.***

**D. Ordinance Related to Signs, Repealing Sections 815.01 through 815.25 and 828.06, amending Sections 830.06, 831.07, 832.07, 833.07 and 834.07 and adding new Sections 815.01 through 815.33**

Lorsung gave the Council an overview of the history of the ordinance. She stated the ordinance has been in the same form since 1999 and the ordinance has been under review since last year.

Lorsung stated the proposed document is a working ordinance and is by no means final. She stated the changes were made due to a legal review. She stated they double-checked that the zoning regulations were consistent with the ordinance and that all sign regulation information was in the same area of the ordinance.

Lorsung addressed some specific changes such as prohibiting portable signs and policy changes regarding temporary signs. She added that construction site signs are addressed in the new ordinance. She noted that painted windows are no longer allowed under the new ordinance, but window signs can occupy up to 50% of windows.

Lorsung stated Uptown Hamel's sign ordinance was not changed, but the old ordinance was taken out of the district regulations and added to the general sign ordinance. She noted an error that occurred will be changed.

Lorsung highlighted that sandwich board signs are not defined or discussed in Uptown Hamel, but she believes such signs will attract shoppers in an area such as Uptown Hamel. She stated that the City may be interested in allowing sandwich boards on a limited basis in certain areas of the City. Smith asked for clarification and Lorsung stated the sandwich boards are portable signs, and would be prohibited under the ordinance, but suggested the Council consider making exceptions.

Lorsung stated there have been discussions among the City and gasoline station owners. She stated the old and new ordinances both address gasoline stations and language was added to further specify signs allowed for gasoline stations and other businesses. Lorsung added the only true change affecting gasoline stations would be the window paintings.

Lorsung explained the differences among the types of signs addressed in the ordinance and showed examples.

Cavanaugh asked what the difference is between window signs and painting windows. Lorsung stated that most cities do not allow direct painting on the windows and are even more restrictive of window signs. She stated that window signs are not as effective and that temporary signage is considered a better way to advertise.

Lorsung stated the current ordinance allows 50% of a window to be covered by a sign with a permit, but that a sign is not allowed to be painted directly on the window. Cavanaugh asked about a decal. Lorsung stated that decals are not considered signs. Lorsung stated that up to 50% of the window could be covered by a decal.

Smith brought up the restriction on wall signs and stated that businesses get around the requirement by painting windows. She asked about Uptown Hamel and Lorsung replied that there is a different regulation for that district. She stated that walkable communities have different needs.

Weir asked how businesses will inform customers of various promotions without window painting. Smith suggested alternatives. Lorsung stated that Staff has done an excellent job of determining legal implications of sign ordinances and what types of signs the City does and does not want to approach.

Workman stated he wants signs to be informative but does not want them to be tacky.

Brinkman stated the issue at hand is the look of businesses and that window painting often looks bad. He stated the window painting provision is a protection for businesses.

Lorsung stated it is about compromising to allow business a reasonable amount of advertising. Cavanaugh stated that he is concerned that Highway 55 Rental will face significant changes because they have several trucks with their name and phone number on the side.

Lorsung stated the Planning Commission discussed the same issue and believes it may need to be re-worded and explained the instances in which the vehicle sign ordinance would take affect and stated the definition does need some work.

Lorsung stated there is 3-4 pages of information regarding processes to work with Staff regarding signs.

Cavanaugh asked about vehicles with for sale signs parked on private property. Lorsung stated it falls under a separate part of the zoning ordinance, not the sign ordinance. Batty stated it is no different than garage sales.

Lorsung touched on the temporary signs, particularly about community events and the proposed ordinance for temporary signs. She stated that once the ordinance is adopted, the City will enforce the temporary sign regulations for all groups and community events.

Schild asked if only one banner can be allowed at one property at one time, and Lorsung stated that was correct. Smith stated if there is a multi-tenant building, there should be signs allowed but a time limit.

Cavanaugh stated he believes the ordinance is too restrictive.

Lorsung addressed current non-conforming signs and stated those with variances will be grandfathered in. Weir asked about the size of temporary signs and Lorsung clarified.

Smith stated that lighting should be added to the definition of signs. She stated that if there is a backlit symbol, it should be considered a sign. Batty stated the issue he has is about how a sign is defined. He explained that the signs are counted by clear symbols or words, but not by lighted colored bands on buildings.

Smith stated that when there are backlit wall symbols or colors, such as the colored band on the Holiday station, they should be considered as signs. Lorsung stated that in the research she, Schild, and Batty have done, no other communities consider colors and lighting as signs.

Illumination, lighted colors, and symbols were discussed and Lorsung stated there was a gray area.

Workman suggested the discussion be tabled and Staff research additional issues to come back to the Council.

Cavanaugh commented that many businesses would be affected and asked if the proposed ordinance be circulated. Lorsung stated it is available on the website and public hearings have been held.

*Moved by Cavanaugh, seconded by Weir, to table discussion of the Ordinance Related to Signs, Repealing Sections 815.01 through 815.25 and 828.06, amending Sections 830.06, 831.07, 832.07, 833.07 and 834.07 and adding new Sections 815.01 through 815.33, until the next Council meeting. **Motion passed unanimously.***

## **E. City Park Capital Improvements**

Adams stated he has identified several recommendations for improvements to the parks. He stated he is looking for direction for a garbage enclosure at the Hamel Community

Building, a new roof in Hunter Lions Park and a new picnic table for Lakeshore Park. He stated he is looking for direction to spend Park Dedication Funds.

Paumen stated that the garbage enclosure area does not conform to the City's code and explained where the new structure would be located. He also explained the expenses of the project.

Cavanaugh asked Paumen to attend the Hennepin County Auction for some equipment. Paumen stated he would look into it.

*Moved by Smith, seconded by Weir, to approve City Park Capital Improvements with funding from Park Dedication Fund, as requested. **Motion passed unanimously.***

Weir and Smith discussed the bird watching park at Rainwater Park. Adams stated there are funds set aside for consulting regarding such a park and this issue will be discussed in depth at a future meeting.

The issue of the wetlands was discussed and that the area in question has been used already as wetland mitigation.

*Moved by Smith, seconded by Weir to direct staff and the Parks Commission to determine a scope of services for a consultant to design Rainwater Park, and recommend appointment of the consultant this fall for spring 2007 improvement.*

#### **F. Community Survey**

Adams discussed the citizen and business surveys that have been proposed.

Weir stated her concern with #6 and she would like citizens to know the question is related to the comprehensive plan for the City. She stated she would like to ask how residents feel about maintaining rural character and slow-growth policies in Medina.

Workman stated he believes it is a leading question. Smith stated the answers offered for the question get into the depth of the issue. Cavanaugh asked if the question of no, slow, or moderate growth should be related to income taxes.

Smith stated that most citizens will not know what about the Comprehensive Plan of the City. Smith stated she wanted residents "essential or very important," to answer both questions #7 and #8, rather than skipping them. Cavanaugh stated he would like all citizens to answer all questions.

Lorsung stated she was confused about questions #7 and #8 as well.

Workman stated his concern is the City getting involved in the survey process all together. He stated if the City is meddling in the survey, the results may not be what is expected.

Smith stated it is important to discuss their concerns. Cavanaugh stated there are some questions which are not relevant to the City. He stated the City should ask how citizens feel about slow and low density growth related to increased taxes.

The issue of growth was addressed and the Council agreed that there should be an open-ended question for citizens to fill in regarding opinions on growth.

Workman asked if the City will follow exactly the results of the survey. Brinkman stated he believes the survey is skewed. He said an issue is the question about availability of affordable housing.

Workman stated the only citizens who will respond are those who have salient concerns.

Adams stated there is an option for the City to add an open-ended question, which will cost an extra \$750. Lorusso stated an open-ended question would be very valuable to help the City determine priorities.

Smith stated this firm did not talk to the Council regarding specific issues and concerns as part of their proposal, as other firms proposed. She brought up the issue about where the new City Hall should be located.

Cavanaugh suggested a question asking residents where they would like to see City services in 30 years. Adams stated he believes the research firm is open to crafting such questions.

Brinkman stated there are several issues that have come up in discussions which should be included in the survey.

Workman restated he is concerned that only those with specific concerns will speak up. Smith reminded him that the survey will be sent out twice in an effort to ensure substantial returns.

Adams asked for specific changes. Cavanaugh suggested the location of City Hall in 30 years and how citizens feel about growth related to property taxes. Smith and Workman both stated they do not feel it should be included in the survey. Smith stated there is not consensus on that issue.

Smith stated she would like to add a question about areas in which residents would like to see growth occur.

Adams stated the firm was concerned about how the boundaries would be determined. The Council discussed various areas that could be specified. Smith recommended a map be added to the survey.

Weir asked about question #14 regarding setbacks and stated the City is quite a way down the road with the decisions. Brinkman stated he would like to remove the question. Smith stated she believes it is important to find out if the residents support it.

Workman stated that he would like a survey question gauging concerns for environmental welfare.

Cavanaugh brought up rules regarding livestock. It was the Council's consensus to not include a question about livestock.

Cavanaugh supported Smith's idea to include a map in which citizens could address areas of growth.

Adams stated based on consensus he is hearing, the issues that will be addressed are:  
Location of public facilities  
Description of affordable housing

Cavanaugh asked about the growth issue, Weir stated it is too difficult to ask correctly.

Workman stated he would like to ask a question about residents' largest concerns for the City. Cavanaugh returned to Smith's suggestion about asking about growth in specific areas.

Lorsung suggested a map could be color-coded.

Workman stated his concern is that if citizens give their opinions, but the City does not follow such opinions, that residents will be upset.

Adams suggested that the open houses as part of the Comprehensive Plan are an arena where such concerns can be addressed. Smith suggested the city include their own surveys as part of the open house and Comprehensive Plan process.

Adams stated he has direction on three items (location of public facilities, affordable housing description and open-ended question pertaining to biggest issue facing Medina in future) and does not believe it will cause a big problem with the research firm. Adams stated there was consensus to use Map 5.

Discussion was held on the Business survey, with no changes being made.

*Moved by Smith, seconded by Weir, to approve the Community Survey, with amendments as clarified by Adams. **Motion passed unanimously.***

## **IX. CITY ADMINISTRATOR REPORT**

### **A. Maintenance of Hamel Road**

Adams addressed the immediate maintenance requests for Hamel Road and presented the Council with two options of seal coating or simply jet-blackening.

Weir stated that businesses in Uptown Hamel believe the City is indirectly responsible for condos in the area not selling. She stated businesses believe the City is dragging their feet when it comes to improvements. She stated the City has done a lot of work in Uptown Hamel including: 1. Built a drainage system to allow development on zero lot setback. 2. Re-created the ordinance to make development more economically feasible. 3. Built a whistle-less crossing and re-built Sioux Drive and Mill Drive.

Workman stated it is important to the City for Uptown Hamel to look good for redevelopment and property values, as well as for the look of the primary business district. Workman stated he has no problem spending TIF money to make the area look nice.

Adams stated the issue has been discussed and is on the agenda for the August 2<sup>nd</sup> meeting.

Weir asked if the road could be striped for a more urban look. Paumen stated it would cost more, but it could be striped.

The Council discussed the complete renovation of the road, including utilities, instead of a "quick fix."

Batty stated the City has 2.5 years to renovate the Uptown Hamel road per the TIF guidelines. Kellogg discussed the location of water and sewer mains as a variable to consider in moving forward with the Hamel Road improvement now.

The Council agreed that re-doing the road is essential to business and that the developers know that TIF and development is needed to support the funding of the infrastructure.

Batty and Adams discussed the limitations of TIF funding as they pertain to public improvements and reminded the Council of past policy discussion of using special assessments.

The Council agreed that the entire project should be discussed.

Adams described the steps that must be taken in order to complete such a project, as it relates to public improvement hearings and a special assessment hearing this fall for Sioux Drive, Mill Drive and the storm water improvements.

The Council agreed that the issue will be tabled until August 2<sup>nd</sup> and brought back for discussion.

## **B. City Engineer Report**

Kellogg updated the Council on the Hunter Drive trail.

Workman asked about Sioux drive and Paumen responded that sod will be planted in adjacent to the roadway with the option of placing mulch with plantings for long-term maintenance preference.

The Council requested that Hamel Road look its best for the upcoming Rodeo and parade.

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

## **XII. APPROVAL TO PAY THE BILLS**

*Moved by Smith, seconded by Weir, to approve the bills, order check numbers 029587-029632 for \$554,401.81, payroll check numbers 019926-019930 for \$6,489.76 and payroll direct deposit for \$25,014.03. **Motion passed unanimously.***

**X. CLOSED SESSION: ACQUISITION OF PROPERTY**

The council adjourned to a closed session at 11:17 p.m. The closed session addressed the acquisition of property listed as 4003 Apache Drive, as well as easement acquisition on Hunter Drive listed as PID's 13.118.23.31.0001, 13.118.23.21.0002, 13.118.23.21.0001, and 13.118.23.12.0001. Mayor Workman, Council members Brinkman, Cavanaugh, Smith, and Weir, Batty, Paumen, Lorsung and Adams were in attendance in the closed session.

*Moved by Smith, seconded by Weir, to enter into closed session at 11:17 p.m. **Motion passed 4-0 (Brinkman absent).***

The Council reconvened to open session at 11:53 p.m.

*Moved by Weir, seconded by Smith, to adjourn at 11:54 p.m. **Motion passed unanimously.***

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Bruce D. Workman, Mayor

Attest:

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Chad M. Adams, City Administrator-Clerk