

MEDINA CITY COUNCIL MEETING MINUTES OF MARCH 3, 2008

The City Council of Medina, Minnesota met in regular session on March 3, 2008 at 7:02 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

Members present: Crosby, Smith, Weir, and Johnson.

Members absent: Cavanaugh.

Also present: Assistant City Attorney Sarah Sonsalla, City Engineer Tom Kellogg, Police Chief Ed Belland, Planning Director Tim Benetti, City Administrator Chad Adams and Recording Secretary Kimberly Stoll.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

The agenda was accepted as presented.

IV. APPROVAL OF MINUTES

A. Approval of the February 19, 2008 Special City Council Meeting Minutes

*Moved by Smith, seconded by Weir, to approve the February 19, 2008 special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the February 19, 2008 Regular City Council Meeting Minutes

It was noted on page 2, the ninth paragraph, it should state: "Vinck recognized each of the Reserve Officers individually and the amount of hours they have each donated.

Reserve Sgt. Steve Lundell served 566 hours, Reserve Michael Chorley served 320 hours, Reserve Todd Larson served 280 hours, Reserve Mark Ihrke served 148 hours, and Reserve Jen Rouillard served 53 hours."

It was noted on page 3, the fourth paragraph, it should state: "Steve Tallen stated...He explained a case where an individual was arrested for DWI and a question arose about a prior conviction..."

It was noted on page 3, the fifth paragraph, it should state: "Cavanaugh inquired...He stated the intoxillizor source code..."

It was noted on page 5, the eighth paragraph, it should state: "Smith inquired about considering a moratorium and having Staff evaluate ~~the~~ area ordinances. She stated that she thinks that ~~the~~ height is an issue."

It was noted on page 7, the first paragraph, it should state: "John Kastner...He stated ~~the~~ that baseball..."

It was noted on page 7, the fifth paragraph, it should state: "Weir stated the City and volunteers ~~has~~ have..."

It was noted on page 7, the sixth paragraph, it should state: "Smith stated...She stated the Hamel Athletic Club members aren't all from Medina and there are other Medina residents who would also like to use the fields."

It was noted on page 9, the twelfth paragraph, it should state: "Weir stated that in the Administration section the Low Impact Design Training (Commissions/Staff) is ~~noted~~ prioritized as medium."

*Moved by Weir, seconded by Smith, to approve the February 19, 2008 regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. CONSENT AGENDA

- A. **Resolution Approving the Renewal of a Premises Permit to the Hamel Volunteer Fire Department to Conduct Lawful Gambling**
- B. **Approve Raffle Permit for Washburn Center for Children on June 23, 2008 at 400 Evergreen Road**
- C. **Reschedule March 18, 2008 Special Meeting from 6:00 p.m. to 5:30 p.m.**
- D. **Schedule Open House for Trunk Highway 55/116 Intersection Project Review for 7:00 p.m. on April 22, 2008 at Medina City Hall**
- E. **Schedule Special Meeting for Low Impact Design Workshop for 7:00 p.m. on April 29, 2008 at Hamel Community Building**
- F. **Accept Road Material Bids**
- G. **Resolution Authorizing City Staff to Determine Completeness and to Extend the Review Period if Needed for Applications Governed by Minnesota Statute 15.99**
- H. **Resolution Approving the Division of Medina's One Existing Election Precinct into Two Separate Election Precincts Along School District Boundaries; Cancel May 6, 2008 Public Hearing**

Weir asked to remove item E from the consent agenda.

Crosby asked to remove item H from the consent agenda.

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

- E. **Schedule Special Meeting for Low Impact Design Workshop for 7:00 p.m. on April 29, 2008 at Hamel Community Building**

Weir expressed concern that the fire marshal be present during the workshop.

Adams stated that he hadn't checked with the fire marshal to be sure that he can attend.

Smith stated that it may be good to have more than the fire marshal in attendance.

Adams stated that he could report back to the Council about the fire marshal's attendance.

*Moved by Johnson, seconded by Weir, to approve the scheduling for the Low Impact Design Workshop, subject to the attendance of the fire marshal. **Motion passed unanimously.***

H. Resolution Approving the Division of Medina's One Existing Election Precinct into Two Separate Election Precincts Along School District Boundaries; Cancel May 6, 2008 Public Hearing

Crosby stated there was a resident who would like clarification about this issue. He explained that adding an additional location for voting will decrease the lines during elections. He stated the Wayzata and Rockford school district residents would go to the Hamel Community Center and the residents in the Orono and Delano school district would vote at City Hall. He stated that one of the reasons for doing it now is to allow time to notify the residents.

Norma Friedrichs, 2860 Willow Dr., stated there are additional issues related to the precincts. She stated that the political parties are affected and by law are required to host elections every two years. She stated that recently there was an election for the precinct delegates. She stated that there won't be another election until 2010 and if there are two precincts created, there wouldn't be delegates for both.

Smith stated there would still be the same number of delegates regardless of the number of precincts.

Crosby inquired if the precincts that would be created would impact the precincts for the caucuses. Sonsalla stated she wasn't sure, but there could be an affect.

Friedrichs stated that the lines drawn would be sent to the Secretary of State and would affect the caucuses and the political parties.

Smith stated that there is a need to serve the residents.

Crosby inquired if one precinct can have two voting places.

Friedrichs stated that she understands the concerns are the lines, space, the voting booths, and the machine to do the ballots. She suggested moving it to the Hamel Community Center to accommodate those concerns.

Crosby inquired about the timing of creating the precincts. Adams stated that it is preferable to do it now. He stated the resolution needs to go to the Secretary of State's office so it can be reviewed.

Smith stated they could approve the two precincts and if necessary, rescind it. She stated she doesn't think the Secretary of State would allow it to occur if it would negatively affect the political parties.

Ben Benson, DFL delegate, stated they aren't as well organized on this issue, but he doesn't think it would impact their structure. He stated that if they would need to, they would come up with two delegates. He stated he has spoken with other residents who are impressed with the City moving forward to make the elections more convenient.

*Moved by Weir, seconded by Smith, to approve the Resolution Approving the Division of Medina's One Existing Election Precinct into Two Separate Election Precincts Along School District Boundaries and cancel May 6, 2008 Public Hearing. **Motion passed unanimously.***

Crosby inquired if it would be possible for Friedrichs to communicate with himself or Adams about the clarification for additional delegates.

Smith stated there wouldn't be more delegates, but there would be a need to certain amount from each precinct.

Crosby inquired if Friedrichs has looked at the distribution of the current delegates. Friedrichs stated she has not.

Smith stated the goal is that residents have an opportunity to vote and do it in a timely matter regardless of political party.

Crosby stated it may be less expensive to have one voting location.

Johnson inquired if the average voting time is tracked. Crosby stated his experience has been that the length of time depends on the time of day.

Smith stated that Medina has about 75% participation by eligible voters vote.

Adams stated he did track the flow of voters for the past elections and stated that in 2006 the flow was steady. In 2004, there was a long wait for voters when the polls opened.

Benson stated there are a lot more people voting in this precinct compared to adjoining districts.

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Ben Benson stated the Park Commission discussed the resignation of a park commissioner, the trail study, and activities for clean-up day.

C. Planning Commission

Benetti stated the Planning Commission discussed the wetland ordinance which was tabled, the updated sign ordinance, the conditional use permit for the Abdish Bhavsar barn, and the Medina Townhomes at the previous meeting.

Smith stated she is concerned that the sign ordinance did not return to the Council in time to meet the moratorium deadline. She stated she hopes in the future that won't happen again. She stated she thinks if the Planning Commission can't come to consensus, the Council would like to hear a minority report and what was originally presented since there have been numerous changes.

VII. OLD BUSINESS

A. Fire Service Provider to Existing Maple Plain Fire Department Service Area

Adams stated the Maple Plain Fire Chief and City Administrator were in attendance at the meeting. He demonstrated the location of the existing properties that are served by Maple Plain. He noted the properties that only have access to the properties through Maple Plain. He stated the existing fire service agreement expired on December 31, 2007. He stated Staff has estimated the cost of dividing the area previously served by Maple Plain into two sections, one served by Loretto and one by Long Lake. He stated the City has been working on consolidating contracts in other areas. He stated the City has been pleased with the services provided by Maple Plain. He stated Maple Plain is the closest and response times could be jeopardized. He stated the estimated budget savings is about \$1,283.29 and there would be additional resource savings. He stated if mutual aid and communications do not change response times will not change.

Crosby stated his understanding of mutual aid is that it is the responsibility and option of the fire department to call out to other areas for assistance.

Belland stated that if there is a call that requires additional help, then mutual aid begins.

Crosby stated his understanding is that for major fires, the other departments are called.

Belland stated that they do ask for assistance for larger fires.

Weir inquired if anybody has precedence over trains. She stated the trains are long and inquired if Loretto would be called out if there is a situation where a train would delay the response time.

Belland stated it could trigger mutual aid.

Weir inquired about how mutual aid is recompensed. Belland stated that the fire departments and police departments don't exchange funds for mutual aid.

Adams stated the per household served expenses and the per capita expenses.

Johnson inquired about the economics of the expenses. Adams stated that there is a difference in the types of formulas within the four contracts.

Belland inquired if the calculations take into account the different types of businesses and households. He stated the different types of calls impact the expense.

Johnson stated the different types of equipment would impact the contract cost.

Adams stated the different cities have included the cost of equipment differently in their contracts. He stated the calculations show the 2008 budget and not a trend over time.

Weir stated that Park Ridge acres could only be accessed from the east.

Adams stated the fastest access would be from the west.

Smith stated her concern is the response time and that mutual aid may not be adequate.

Adams presented the geographic analysis and market value analysis. He stated the options for consideration include: approving a fire provider service change to Long Lake and Loretto effective April 1, 2008; or maintaining fire services agreement with Maple Plain with \$4,502.29 plus call hour provision.

Weir inquired if there was an analysis done for the response times. Belland stated it is difficult to determine the exact response time. He stated that it can be closer for a fire department to respond to a fire in a nearby city than the response for a call to the far end of their own city.

Crosby inquired about the actual activity. Belland stated that Maple Plain averages about five calls per year.

Crosby inquired about the number of actual fires. Belland stated there was one fire in 2005 and one in 2006.

Crosby inquired about the nature of the other calls. Belland stated the calls were for a false alarm, grass fire, backyard fire, medicals, and accidents.

Smith inquired about how the statistics compare to the calls in other areas. Belland stated the statistics for the other areas.

Weir inquired if all the affected properties of the potential change would have longer response times. Belland stated that Sycamore may have a shorter response time depending on various factors.

David Kearin, Medina resident, stated that if it isn't too expensive, he would prefer the contract be kept with Maple Plain. He described the route that Maple Plain could take if there was a fire on their property and there was a train.

Tommy McKan, 2004 County Road 19, stated the response time from his house to Loretto is between 6 ½ to 7 ½ minutes. He stated there is no easy way to go around a train. He stated his concern is for medical calls. He stated as a taxpayer he thinks this issue is more important than the previous discussion about creating two precincts.

Ben Benson, 4768 Sycamore Trail, stated that his concern is for medical emergencies. He stated he hasn't ever seen a difficulty with emergency vehicles crossing CR 12. He stated he would like the services to remain the same.

Robert Brown, Medina resident, stated his biggest concern is the response time, especially for medical calls. He stated that the additional \$1,200 doesn't seem like a lot of money to spend when compared to the safety of the citizens. He stated that if there is mutual aid it would be important to have good communication to allow proper response time.

McKan requested the fire chief explain mutual aid.

Nate Jerde, Fire Chief of Maple Plain, stated there is a Hennepin County mutual aid agreement. He stated that if there is a big event they begin mutual aid quickly. He stated that they don't call mutual aid for medical emergencies. He stated there is no

compensation for mutual aid. He stated there were about 8 or 10 fire departments called for a previous fire in Corcoran.

Crosby proposed a scenario about a call on a weekend and inquired who the dispatcher would call.

Jerde stated that it is all set up on a computer based on addresses. He stated the information would be broadcast over the main channel. He stated that in that type of situation and there was a confirmed structure fire, then mutual aid would begin.

Crosby inquired about the district service by Maple Plain. Jerde stated it is about 26 square miles.

Crosby inquired about how the fee is calculated for Maple Plain. Adams stated it was based on an old negotiation and has evolved base on consumer price index.

Belland stated it was about \$2,500 and it changed to about \$4,000 when the Maple Plain bought the ladder truck.

Smith stated that not all of the cities that serve Medina have a ladder truck.

Jerde stated the contracts have begun to be more formal over the recent years. He stated the ladder truck is owned jointly by Maple Plain and Independence.

McKan inquired about the purchasing of fire apparatus and if his tax dollars pay for them. Crosby stated the contracts between the cities cover the cost of the equipment.

Jerde stated he didn't think the contract was increased to cover the expense of the ladder truck.

Crosby stated the property owners at 1400 and 1420 Baker Park Road sent a letter stating Maple Plain is the fire department that makes sense to serve their locations due to the proximity. He stated he received a phone call from the mayor of Maple Plain who stated he was concerned about the economics and the mutual aid.

Belland stated he received a call from Paul Lindholm, 4800 Perkinsville Road, who is in support of keeping the Maple Plain services. He stated the police are dispatched first for medical calls.

Crosby inquired if the police and fire are alerted at the same time.

Belland stated if it is a minor medical, the police responds first.

Crosby inquired if the police call the fire department. Belland stated the police call the fire department.

Crosby stated there are two aspects, one being safety and one being administrative. He stated if there was an objective arrangement with Maple Plain for charges and if the City could be free of the discussions about purchasing equipment because the percent of the City served is small, it would work to have a contract with Maple Plain.

Smith stated she isn't sure why it needs to be negotiated annually. She stated she thinks they should try to get the fire departments together so there aren't four different departments. She stated that the original calculation was higher for the contract.

Adams stated it was higher and it was based on a cost sharing formula.

McKan inquired about who presented the formula. Adams stated it is a formula used with the various contracts. He stated they jointly discussed the contract with Maple Plain.

Crosby stated there needs to be an objective formula basis. He stated Orono and Minnetrista were using Maple Plain and have opted not to use Maple Plain due to similar issues.

Adams stated part of the formula is based on the consumer price index.

Crosby stated that he agrees with the consolidation issue, but there are so few properties and with any other service provider there would be a longer response time.

Smith stated she isn't willing to change the system now for a \$1,200 savings.

Johnson stated that the calculations don't include the Staff time and he thinks that the Staff time is underestimated. He stated that when considering consolidation it is important to consider Staff time.

Crosby stated that if the City decides not to use Maple Plain, then there should be consideration for the mutual aid. He stated it would result in a fee for actual service.

Weir inquired if that would be something the mayor of Maple Plain would be open to. Crosby stated he didn't speak to the mayor about it.

Smith stated she doesn't foresee consolidation occurring in the next year or two.

Johnson stated it is happening with Orono and Minnetrista.

Smith stated she doesn't think that those were consolidated, but rather they changed services. She stated she wondered if there would be a way to do a contract for one year with an extension to allow for a cost of living increase.

Crosby stated he doesn't see consolidation as a way to solve the response time. He stated he would like an objective formula for the contract. He inquired who Adams works with for the negotiations. Adams stated he works with the city administrator.

Jason Ziemer, Maple Plain City Administrator, stated Maple Plain would like to be part of the discussions about consolidation. He stated that each of the areas may have different pieces of equipment. He stated the original formula was a tax capacity formula. He stated the Orono and Long Lake contracts with Medina are based on market value. He stated he agrees with the idea of having a multiple year contract. He stated Maple Plain shares common interests between the communities.

Weir inquired if it would make sense to include the Welcome Drive development with Long Lake.

Smith inquired how it would affect the contract with Maple Plain. Adams stated that it could be added to the contract for Long Lake.

Crosby stated that if they are going to use Maple Plain, they should continue with the same borders.

Moved by Smith, seconded by Johnson, to direct staff to negotiate a contract with City of Maple Plain based on the last Maple Plain proposal and work on an objective basis on setting fees for years going forward, as requested.

Johnson stated he would like the equipment to be negotiated out. Adams stated it is already negotiated out.

Crosby stated he would like the city administrators to agree on a cost of living increase and it wouldn't need to be brought back to the Council.

Adams clarified that all agreements need to be brought back before the Council for final approval.

Motion passed unanimously.

B. Hamel Athletic Association Ball Field Use Agreement

Adams presented a contract and noted there has been a change in the scope of services provided. He stated one of the changes to the contract is that the Association will need to provide grounds services, instead of maintenance services as in years past. He stated it is a one year agreement and there is a \$1,000 deposit for the fields and facilities. He stated he spoke with Jon Kastner who was willing to sign the agreement, but has questions about setting aside the revenues for the concession stand within the park dedication fund. Adams stated it is a policy question if the money should be set aside for the use of a future concession stand. He stated if the money goes into the general fund it will be designated for the parks and recreation expenses.

Smith stated she isn't in favor of putting the money in a separate building fund. She stated the money from the fields could be used for operating the concession stand through the general fund.

Crosby stated he is against having another party involved in building the concession stand. He stated he doesn't want to create an obligation to other parties which would make it more difficult.

Weir inquired if Kastner would be willing to sign it if the Council did not agree to separate the money. Adams stated he isn't sure since he hasn't discuss this specifically with Kastner.

Weir stated that the issue is staffing of the concession stand.

Crosby stated he doesn't think that contracting with the City means the contractee can tell the City what to do.

Johnson stated they are in agreement with the use of the funds for staffing the concession stand. He stated from a policy point of view he doesn't think the City should make promises like these.

Crosby inquired if this contract gets involved with scheduling. Adams stated the scope of services states that the fields are reserved Monday through Thursday and the Association needs to provide the City with a schedule.

Crosby inquired if the City would be able to make contracts with others after the schedule is provided. Adams stated that they would be able to. He stated the City has discretion to not schedule events on the weekends.

Crosby inquired if it is an entirely new contract or an amended contract. Adams stated it is an amended contract. He stated he spoke with Batty and they would like to change the format for next year.

Crosby clarified that it is a one year contract.

*Moved by Smith, seconded by Weir, to approve the Hamel Athletic Association Ball Field Agreement, as requested. **Motion passed unanimously.***

VIII. NEW BUSINESS

A. Site Plan Review for Construction of a 3-Unit Town Home at 705 Hamel Road- Robb Stauber

Benetti stated the applicant requested site plan review for a 3-unit town home development as a common interest community. He stated a similar plan was previously reviewed by the Council. He stated initially the plan showed a 6-unit town home development. He stated it was revised due to market conditions and the feasibility of the improvements. He stated there was previously a variance request for the impervious surface, but it is no longer needed. He stated the Planning Commission recommended approval. He demonstrated the previous site plan and the revised site plan.

Crosby inquired if the 3 northern units are in the same location as they were in the previous plan. Benetti stated that they were. He stated the development plan could be staged to include up to 3 additional units to the south, if the application is approved then nothing should impair the possibility of building up to an additional 3 units. He stated in a staging situation the utilities would need to be done.

Weir inquired if at the future the other units could be built. Benetti stated that if the market changed, it would be possible to go back to the previous site plan.

Smith inquired if the footprint would remain the same. Benetti stated it could remain the same or it could be revised.

Smith inquired if they would be in the floodplain. Benetti stated they would not. He stated the official controls are being evaluated and if they change, it could affect building on the property in the future. He stated the architecture has been improved; the elevation has not changed; the density has dropped; the setbacks are met; there isn't an impact on the wetlands; the shoreland requirements are met; there is no impact to the

floodplain; the grading and drainage will be reviewed; all utilities are available; and fire hydrants are available. He stated there wouldn't be a requirement for the front town homes to be sprinkled because they are smaller. He stated they are receiving 1 credit for the park dedication fees.

Smith inquired if the builders would be required to pay for 3 more units of park dedication fees, if they choose to build 3 additional units in the future. Benetti stated they would be required to.

Crosby stated the language for the park dedication fees for the potential building of 3 additional units should be included.

Benetti presented the Staff recommendations.

Crosby inquired if the City could request that the southern portion of the land be reserved for additional buildings. Benetti stated this plan currently meets the ordinance and to add or require additional density is over the specifications in the current comprehensive plan.

Sonsalla stated the City could enter into an agreement with the developer, but she thinks it is above and beyond what the developer would be required to do.

Crosby stated that the front elevation has changed, but he is concerned about the elevations on the right and left.

Johnson stated he thinks the elevations are inaccurate.

Benetti stated the plan before the Council doesn't reflect the condition about the elevations, but at the time of the building permit the conditions will reflect it.

Johnson stated the Council voted to improve the streetscape in Uptown Hamel and it is important for the routes into Uptown Hamel to be improved. He inquired if the Council had previously discussed planting Ash trees. Weir stated they left Ash trees in the plan.

Benetti stated it could be changed to a Maple or Oak.

Weir stated that Red Oaks hold their leaves a long time.

Smith stated she would like to see a variety of trees.

Crosby stated the decision about the trees could be left to Staff.

Johnson stated he would like Staff to think of it from a landscaping point of view.

Smith stated there are only 3 bushes on the west side of the building.

Johnson stated that they could address the aesthetic from the side by planting some trees.

Benetti stated that there is a drainage and utility easement on the east side. He stated that a few trees may be able to be added.

Johnson stated that trees would break up the single face of the wall.

Weir inquired if there is room on the west side to add a tree. Benetti stated that he thinks there is.

Weir stated she would like the builders to know that the Council would be interested in having them come back with a phase 2 for the project.

Crosby suggested an additional conditional stating: "The plans would be consistent with the possibility of the addition of up to 3 like units to the south of the planned units."

Smith inquired if the zoning was changed. Weir stated it will be medium density.

Benetti stated it is going to be re-guided as high density residential.

Adams inquired if they would like the language to be restricted to 3 additional units. Crosby stated that the condition could state additional units and not specify 3 units.

*Moved by Weir, seconded by Johnson, to direct Staff to prepare a resolution to grant site approval to 705 Hamel Road, as requested. **Motion passed unanimously.***

B. Comprehensive Plan Discussion/Update

1. Official Control Work Plan

Benetti presented the Official Control Work Plan and stated that it is to be used as a guide. He stated the public meetings could be official meetings or open to stakeholders. He stated their goal is to adopt the ordinances after the comprehensive plan has been officially reviewed by the Met Council.

Weir inquired if development could continue in Uptown Hamel under the current ordinances. Benetti stated that it could continue. He stated they would like development to continue.

Weir stated there is an application for a private recreation district and inquired if it could be done under existing ordinances. Benetti stated there isn't an existing ordinance in place, but they could do a PUD.

Smith inquired if it would be separated from the golf course. Crosby stated it would be separated.

Crosby stated the point system and the PUD ordinance would be of high interest to the residents.

Benetti stated there aren't ordinances and standards in place to provide a point system.

Adams stated an important part of the timeline is the jurisdiction review which can be up to six months and Met Council is allowed to have up to four months to review it. He stated this would be about January when it would be done. He stated that is why the staging plan and PUD ordinance is set for that time. He stated that if the review by the Met Council was completed earlier, they could be moved up.

*Moved by Smith, seconded by Weir, to accept the Official Control Work Plan subject to review by the needs of the constituents and the approval process. **Motion passed unanimously.***

2. Growth Rate for Long-Term Analysis

Adams stated the memo illustrates the growth since 2000. He stated the average has been about 70 units per year. He stated the maximum amount of development between now and 2030 would increase from about 148 units to 162 units per year. He stated they would like to use a consistent number for the needs analysis and the utility rate analysis. He demonstrated the current units with a straight line model, with a step start, and with a catch-up method. He stated they might want to use the variable of 125 units per year for the growth rate.

Weir inquired how the long-term analysis takes into account a potential deep recession or slow-down. Adams stated that he thinks there is still a lot of interest from developers. He stated it has slowed down, but not to the extent as it has in other communities.

Crosby stated that it appears the average is 162 units, but there is some flexibility. He stated it isn't something the City can control without the point system.

Smith stated she isn't comfortable with 162 units per year and her preference is 125 units per year.

Crosby stated that if it was 125 units, the difference would need to be made up at some point.

Johnson stated they are more prudent if they err on the side of being conservative as far as budgeting and staffing is concerned. He stated they could start with a low amount and then adjust it.

Weir stated the advisory panel discussed going slowly initially and then catching up.

Crosby stated that according to the Official Control Work Plan there wouldn't be building permits until the fall of 2009. He stated they need to be mindful of the growth, but the City can't control it.

Adams stated that he was interested in finding out if there was a strong policy directive from the Council for a maximum amount of units.

Johnson stated that people have been marginally or grudgingly accepting of the growth in Medina and this proposal would be almost a doubling of the rate of growth.

Crosby stated that starting out too slowly may result in going overboard in the future and the early planning may be lost.

Johnson stated there wouldn't be anything preventing the Council from approving high density projects to assist in meeting the density requirements.

Adams stated that on the financial analysis side he would like to err on the side of caution. He stated on the staffing side they need to be able to process applications right away.

Crosby stated that he thinks the City is staffed the way they would like it to be staffed today.

Johnson stated that it is an issue for late 2009.

Weir stated it is important to plan for it.

Adams stated that he is hearing the Council say that they would like the units to be between 125 and 150. He stated that he will meet with Staff and they will begin to put the figures into the models. He stated it will be brought back to the Council.

Smith inquired if the financial analysis will tell the Council exactly what it will cost the City. Adams stated it will and it may support the debt services.

Johnson clarified the average from 2003 to 2007 was 88 units. He stated 125 units would be a 33% increase. He stated he would be in favor of between 88 and 125 units.

Weir stated that would result in a lot of units at the end.

Adams stated that he thinks it would be safe to do that in 2009 because people won't be able to build until the end of the year. He stated that in 2010 and 2011 there could be a lot of pressure to increase the number.

Johnson stated that it could be changed in the future.

Weir stated that the projection would impact the point system.

Smith stated it is a Met Council projection.

Crosby stated it is a directive from Met Council to guide the community to a specific number of units.

Smith stated that she thinks some of the residents were horrified to be considered as a high growth city.

Crosby inquired who characterized the City as a high growth city. Adams stated Medina is characterized that way by the League of Minnesota Cities.

Crosby stated he is concerned about going too slow and then having an administration in place that has a development bias.

Johnson stated that he thinks the residents will continue to have an interest in preserving the rural character.

Weir stated that as more urban people move to the area, the interests could shift.

Crosby stated the economic conditions and the comprehensive plan will determine the growth for 2008.

Weir inquired about the figures for 2010. Adams stated the units would be about 100 to 125 and that there are currently some areas that haven't been developed.

C. Accessory Building Regulation Report

Benetti stated there was a directive to Staff to provide a comparison of accessory building regulations in other communities. He stated the City's regulations. He stated that architectural standards are not addressed in the ordinance. He presented a chart of the various architectural standards in the surrounding communities.

Weir inquired if there is a definition for an agricultural building. Benetti stated that the definition for an agricultural building is a potential dilemma.

Crosby noted that Corcoran defines "true farming."

Weir stated that she doesn't consider hobby farm as true farming.

Crosby stated he wouldn't exclude hobby farming, but would define true farming.

Benetti stated the Corcoran ordinance states the accessory structure must have identical siding and roofing as the principal building. He stated the Orono ordinance allows for different sized buildings depending on the lot size.

Weir stated there is a 6,000 square foot maximum size for the accessory structure in the city of Orono.

Benetti noted that the Orono ordinance allows a building to be permitted by a CUP if the Planning Commission determines there to be no negative impacts. He stated he thinks it would be good for the City to have a similar policy. Benetti provided illustrations of various barns that were approved. He stated that the various components could be incorporated into the official controls.

Smith stated that it sounds like they are interested in the height of the buildings, the architectural design, and the materials. She stated she thinks they should do a moratorium now. She stated she doesn't know how it would cause more trouble for Staff to have a moratorium to be sure that the elements are achieved.

Weir inquired if it would be specific to all accessory buildings.

Benetti stated the current safeguard requires the applicants to submit a CUP for structures over 3,000 square feet. He stated the application that has come before the Planning Commission wasn't perceived as aesthetically pleasing. He stated the Planning Commission can make suggestions to improve the aesthetics.

Smith stated that it only works if the applicant is willing to work with the neighbors. She stated it is possible for an applicant to come forward and not be willing to make changes.

Benetti stated that there has been about one applicant per year. He stated that they can set reasonable controls during the CUP process.

Johnson inquired if the current requirement is 3,000 square feet or a 3,000 foot footprint. Benetti stated that it stated 3,000 square feet.

Johnson stated that he thinks they need to be more specific about it.

Smith stated she thinks it is an issue and that it will arise more often.

Benetti inquired about the specific issues. Smith stated she thinks size is an issue and use is an issue.

Johnson stated that when a proposed building is more than 3,000 square feet there is broad discretion when granting a CUP.

Weir stated there isn't discretion when it comes to controlling size.

Crosby inquired about the controls the City has if an applicant needs a CUP. Sonsalla stated the City has control about the size of the building and to some extent the architecture.

Crosby stated if there is a standard, he doesn't think that they are discriminating against people if that standard is used.

Weir inquired about the standard of size considering what has been approved previously. She stated the current comprehensive plan states that they will preserve the rural atmosphere. She inquired if large barns preserve the rural atmosphere.

Johnson stated there are controls. He stated for buildings over 3,000 the City has the ability to restrict any additional size, the aesthetic standard, and require screening. He stated a precedent has been set for the architectural quality.

Weir inquired if they have control of the size because of the size of the ones built previously.

Johnson stated there is a difference between putting a 10,000 square foot barn on a 50 acre parcel and a 10,000 square foot barn on a 5 acre parcel.

Smith stated she thinks there needs to be a relationship between the size of the parcel and the accessory structure. She stated she thinks there needs to be a maximum size of the building. She stated there is a large accessory building that is on a wetland that is not attractive.

Crosby inquired if it was an accessory building or attached to the house. He stated he thinks it is attached to the house.

Johnson inquired about the Teller residence that has a large accessory structure. Belland stated it isn't connected and is a garage.

Johnson stated it is bigger than some accessory structures.

Crosby inquired about a proposed addition to Skyrock Farms. He inquired how it would be dealt with. He inquired if it is before the Planning Commission. Benetti stated it is being reviewed by Staff and will be before the Planning Commission in April.

Crosby stated that the City supports regulating accessory structures and regulations need to be set. He stated he is reluctant to put a moratorium on accessory structures. He stated there is a high threshold of standards based on the properties that have been approved.

Weir stated they don't have control over the size based on the precedence of what has been approved.

Crosby stated he has a hard time regulating the size because of the nature of the area wanting indoor riding rings.

Weir stated she doesn't think there is enough control in the long term. She stated that the controls should be addressed. She stated that she doesn't think an accessory structure should be larger than the Hasselquist's. She stated that true farming should be addressed. She stated there should be a limit to the size of the accessory structures.

Smith stated she is concerned about hardcover.

Johnson stated as a neighbor to the Hasselquist's he doesn't find the barn offensive. He stated the Skyrock property has a large number of buildings on it that is more offensive.

Smith stated the Hasselquist barn has some natural screening. She stated that there have been some standards set, but she doesn't think the City has enough controls.

Adams stated that if they determine that they don't have the appropriate controls, the City would still have time before the current application comes before the Council to have a moratorium.

Benetti stated that he thinks the City has reasonable controls.

Crosby stated that is where the relevance of the previous accessory structures is part of the controls. He stated there needs to be a uniformed standard. He stated there are good regulations in Dayton and Corcoran. He stated he is against an absolute size limitation.

Benetti stated they could expand a table from one of the other cities.

Crosby stated he would like Staff to know: the Council cares about large accessory structures; they are going to expect a high standard consistent with the standards observed for the past accessory structures; they will be revising an ordinance that will have a lot of the elements of Corcoran and Dayton; the Council has fairly substantial controls; and any approval will need to be consistent with what the ordinance will look like.

Weir inquired if the Council is in agreement that a really large barn would require a large amount of acreage.

Benetti inquired if it should be overall acreage or developable acreage.

Johnson stated that the issue could be that a large portion of the land is submerged.

Weir inquired if Benetti is planning to continue attending the Planning Commission meetings or if Finke would be attending. Benetti stated he plans to attend them. He stated that this issue will continue to be a topic of discussion and he will forward the Council's comments and concerns.

Smith stated she thinks at this point they are not ready to have a moratorium.

Benetti stated that with additional time they can work on the official controls.

Crosby noted that Abdish Bhavsar was present and Bill Nunn should be notified of the Council's thoughts.

Smith stated there is concern for additions as well. Benetti stated that they typically require pre-application meetings with applicants.

Abdish Bhavsar stated that they entered the application under the current rules. He stated they are aware of at least one City official who desires to prevent the building from being built. He stated he doesn't think that is fair because they meet all of the requirements and have met with the neighbors regarding the plans. He stated that they understand that there are major issues that need to be addressed in the City and are trying to address the issues prior to addressing the Council. He stated it is not an ill-planned or haphazard building. He stated that they are trying to address blocking the view of the structure.

IX. CITY ADMINISTRATOR REPORT

A. Lake Sarah Total Maximum Daily Load (TMDL)

Adams stated he attended a meeting with the jurisdictions who have an interest in Lake Sarah. He demonstrated the location of Medina in relation to Lake Sarah. He stated the phosphorous loading is 4,300 lbs. per year. He stated the communities need to be concerned about the watershed for reducing the phosphorous load. He stated the area jurisdictions need to achieve a 70% reduction in phosphorous. He stated the funding for the removal of the phosphorous could be based on the percent loading or the size of the lake in each area.

Crosby inquired about when the calculations were done for the loading. Adams stated it is his understanding that the modeling has been done over the past few years.

Crosby stated that in a previous situation there were figures that were about 10 years old and included the run-off from cows. He stated that this is no longer accurate. He inquired if Greenfield can afford to be a part of the team. Adams stated that they were more supportive of the actual loading model. He stated that if the jurisdictions choose to not come together to meet the requirement, then the MPCA will require them to do it.

Crosby stated it is important for the City to know that if the other participants don't pay their portion, the City wouldn't be responsible for paying for the other participant's portions.

Johnson inquired about where the phosphorous has been coming from. Adams stated that it largely comes from agricultural run-off.

Weir stated that phosphate in the soil takes years to come out.

Adams stated that one of the least affordable options is putting in buffer strips and erosion control techniques. He stated that typically it is the most politically difficult.

Crosby inquired how many feed lots there are. Scherer stated he thinks there is one feed lot.

Adams stated the difference in the TMDL's between Lake Sarah and Lake Independence. He stated the existing phosphorus loading all sources; phosphorus load reduction; and Medina's responsibility. He stated the communities agreed in concept to base funding responsibility on the actual load reduction of each community.

Weir stated that the City is likely to have more of these come forward.

Johnson stated he liked the idea of clarifying that Medina would only be responsible for their portion should another city not pay for their portion.

Weir inquired if the loading methodology is the 13 percent. Adams stated that it is and the fairest way is the actual loading methodology.

*Moved by Johnson, seconded by Smith, to endorse the loading methodology based on the actual calculation of loading, as requested. **Motion passed unanimously.***

B. Northwest Chamber

Adams stated that the Northwest Chamber merged with the I-94 Chamber and will have a second office at Adam's Pest Control on TH 55.

X. MAYOR & CITY COUNCIL REPORTS

Weir inquired if Adams was able to learn anything regarding what Embrace Open Space may be able to do for the City. Adams stated that they have been emailing, but the City hasn't received an answer about whether they will be able to assist the City.

Johnson stated that when a bond sale is done it has historically been done by competitive bid bond sales. He stated it is then incorporated into an official statement and solicited to underwriters who buy bonds. He stated there isn't a commission typically paid to a bond advisor. He stated the quote that was made was a fee. He stated that to him it looked to be a fair, traditional way to do things.

Crosby stated he spoke with the mayor of Wayzata about a State of the City Report. He stated he thinks it is too late for 2007, but is something that should be done the first month of the year. He inquired if there have been any comments regarding the tax article in the newsletter. Adams stated that he hasn't received any comments.

Smith stated Staff has put together a summary of 2007 accomplishments that could go in the next newsletter.

Adams stated that they will be completing the 2007 annual report in the spring. He stated he isn't sure that they would like to produce something before the audit is completed which will probably be in May.

Smith stated she would like a summary of the things that have been accomplished in 2007.

Adams stated they will try to fit it in the newsletter.

Crosby stated he wouldn't be able to be at the City office hours on March 15, 2008.

XI. APPROVAL TO PAY THE BILLS

*Moved by Weir, seconded by Johnson, to approve the bills, order check numbers 032096-032145 for \$270,824.97, e-check numbers 000186E-000193E for \$24,318.23, payroll check numbers 020157-020158 for \$1,277.17 and payroll direct deposit 501065-501091 for \$39,871.21. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Weir, seconded by Smith, to adjourn the meeting at 10:21 p.m. **Motion passed unanimously.***

T.M. Crosby, Jr., Mayor

Attest:

Chad M. Adams, City Administrator-Clerk