

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
MAY 5, 2020**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Pearson called the meeting to order at 7:00 pm.

PRESENT: Mayor Mike Pearson and Councilmember Lisa McGinn. Councilmembers Justin Bloyer, Dale Dorschner and Christine Nelson participated via video conference.

Staff present: Administrator Handt, Assistant City Administrator Dickson, Planning Director Roberts, and City Clerk Johnson

APPROVAL OF AGENDA

Mayor Pearson, seconded by Councilmember McGinn, moved TO APPROVE THE AGENDA AS PRESENTED. Motion passed 5 – 0.

ACCEPT MINUTES

Minutes of the April 21, 2020 Regular Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

Susan Dunn, 11018 Upper 33rd Street N., submitted written comments requesting an explanation of why the City did not accept Met Council population projections. Ms. Dunn also commented on the City's lack of stewardship of Sunfish Lake Park due to the addition of mountain bike trails.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll
3. Approve Resolution to Abate Taxes on PID 04.029.21.42.0001 for 2020 - *Resolution 2020-044*
4. Accept March 2020 Fire Department Report
5. Approve Plans & Specifications; Order Ad for Bids for Well No. 5 Connecting Watermain – *Resolution 2020-045*
6. Approve Plans & Specifications; Order Ad for Bids for Pumphouse No. 5 – *Resolution 2020-046*

7. Approve Plans & Specifications; Order Ad for Bids for Hamlet on Sunfish Lake Sanitary Sewer Extension – *Resolution 2020-047*
8. Approve Correcting Resolution 2020-013 (Applewood Pointe) – *Resolution 2020-048*
9. Adopt Water Supply Plan

Mayor Pearson, seconded by Councilmember McGinn, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.

REGULAR AGENDA

ITEM 10: Stillwater School District Bus Facility Conditional Use Permit Amendment

Planning Director Roberts provided background information on the request from the Stillwater School District to grant an amendment to the current CUP to allow continued use of the existing well and septic system.

Kori Land, Stillwater School District Attorney, spoke on behalf of the school district and reviewed items at the property that have been addressed since the last meeting.

Jared Shephed, Attorney for the City of Lake Elmo, reviewed the conditions outlined in the proposed Resolution denying the amendment.

Sandi Hayner, 1357 Lydia Circle, Stillwater, expressed concern regarding the cost of the facility and cost of the additional proposed site improvements.

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO ADOPT THE AMENDMENT TO THE CUP AS SUBMITTED BY THE APPLICANT WITH CLARIFICATION THAT THE AMENDMENT WILL BE VALID “UNTIL SEWER AND WATER IS AVAILABLE”. Motion failed 1 – 4. (Pearson, Bloyer, Dorschner, McGinn – nay)

Mayor Pearson, seconded by Councilmember McGinn, moved TO ADOPT RESOLUTION 2020-042 WITH TYPOGRAPHICAL ERRORS TO BE CORRECTED BY THE CITY ATTORNEY. Motion passed 4 – 1. (Nelson – nay)

ITEM 11: Stillwater School District Bus Facility Conditional Use Permit Revocation

Planning Director Roberts provided background information on the proposed revocation. Kori Land requested that the City Council not revoke the CUP. City Attorney Jared Shephard reviewed the proposed resolution revoking the CUP.

Mayor Pearson, seconded by Councilmember McGinn, moved TO ADOPT RESOLUTION 2020-043 WITH TYPOGRAPHICAL ERRORS TO BE CORRECTED BY THE CITY ATTORNEY. Motion passed 4 – 1. (Nelson – nay)

ITEM 12: Accessory Building Setback Variance (9495 Stillwater Blvd)

City Planner Prchal presented the request for a variance to allow expansion of an accessory building located in the front yard of the property.

Councilmember Bloyer, seconded by Councilmember Dorschner, moved TO ADOPT RESOLUTION 2020-049 APPROVING THE REQUEST FROM GREG KOTASKA AT 9495 STILLWATER BLVD. FOR A VARIANCE FROM THE FOLLOWING STANDARD: ACCESSORY STRUCTURE SETBACK FROM THE FRONT PROPERTY LINE, SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 5 – 0.

ITEM 13: Accept Bids & Award Contract for Stonegate Addition Street and Utility Improvements

City Engineer Griffin presented the bids for the Stonegate street and utility improvements.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO APPROVE RESOLUTION NO. 2020-050, ACCEPTING BIDS AND AWARDING A CONTRACT TO A-1 EXCAVATING, INC. IN THE AMOUNT OF \$2,692,593.75 FOR THE STONEGATE ADDITION STREET AND UTILITY IMPROVEMENTS. Motion passed 5 – 0.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A MATERIAL TESTING CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$40,000 FOR THE STONEGATE ADDITION STREET AND UTILITY IMPROVEMENTS. Motion passed 5 – 0.

ITEM 14: Accept Bids & Award Contract for the 31st Street/Stillwater Blvd Watermain Extension

City Engineer Griffin presented the bids for the 31st Street/Stillwater Blvd. project.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO APPROVE RESOLUTION NO. 2020-051, ACCEPTING BIDS AND AWARDING A CONTRACT TO MILLER EXCAVATING, INC. IN THE AMOUNT OF \$332,293.33 FOR THE 31ST ST & STILLWATER BOULEVARD WATERMAIN IMPROVEMENTS. Motion passed 5 – 0.

Councilmember Dorschner, seconded by Councilmember Nelson, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A MATERIAL TESTING CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$8,100 FOR THE 31ST ST & STILLWATER BOULEVARD WATERMAIN IMPROVEMENTS. Motion passed 5 – 0.

ITEM 15: Donation for Inwood Park Pavilion

City Administrator Handt reported that an anonymous donor would like to donate \$44,000 for a pavilion at Inwood Park.

Councilmember Dorschner, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2020-052 ACCEPTINNG A DONATION FOR A PAVILION IN THE NEW INWOOD PARK. Motion passed 5 – 0.

ITEM 16: Accept Bids and Award Contract for Inwood Park Improvements

Public Works Director Powers presented the proposed amenities for Inwood Park and reviewed bid amounts.

Mayor Pearson, seconded by Councilmember McGinn, moved TO APPROVE THE LOWEST RESPONSIBLE BIDS, MILLER EXCAVATING AND FLAGSTAFF RECREATION AND MOVE FORWARD WITH THE FIRST PHASE OF THE INWOOD DEVELOPMENT PARK PROJECT NOT TO EXCEED \$150,000. Motion passed 5 – 0.

COUNCIL REPORTS

Mayor Pearson: Encouraged support of local businesses.

Councilmember Bloyer: Expressed hope that the parties involved in the bus garage can come to a resolution.

Councilmember Nelson: Attended the Fire Relief Association meeting.

Meeting adjourned at 9:47 pm.

LAKE ELMO CITY COUNCIL

ATTEST:



Julie Johnson, City Clerk



Mike Pearson, Mayor