

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
JUNE 16, 2020**

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

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

**PRESENT:** Mayor Mike Pearson and Councilmembers Justin Bloyer, Dale Dorschner, Lisa McGinn and Christine Nelson

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Roberts, and City Clerk Johnson

**APPROVAL OF AGENDA**

Item 6, "Approve Settlement Agreement with Hamlet on Sunfish HOA Regarding Trails" and Item 10, "Approve COVID 19 Preparedness Plan" were moved to the Regular Agenda.

*Councilmember Bloyer, seconded by Councilmember McGinn, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5 – 0.*

**ACCEPT MINUTES**

Minutes of the June 2, 2020 Regular Meeting were accepted as presented.

**PUBLIC COMMENTS/INQUIRIES**

None

**PRESENTATIONS**

None

**CONSENT AGENDA**

2. Approve Payment of Disbursements and Payroll
3. Accept May 2020 Building Department Report
4. Accept May 2020 Public Works Report
5. Approve Union Park Development Agreement – *Resolution 2020-063*
- ~~6. Approve Settlement Agreement with Hamlet on Sunfish Lake HOA regarding Trails~~
7. Approve 2020 Staff Wage Adjustments
8. Approve Code Red Agreement with Washington County
9. Approve Summer Newsletter

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- ~~10. Approve COVID 19 Preparedness Plan~~
11. Approve Master Service Agreement and Statement of Work with Clifton Larson Allen for Accounting Services
12. Approve Joint Powers Agreement with Denmark Township for 2020 Crack Seal & Seal Coat Projects
13. Accept Bids & Award Contract for the 2020 Seal Coat Project
14. Approve Release of Utility Warranty Security for Boulder Ponds 2nd Addition
15. Accept Improvements and Approve Security Reductions for Boulder Ponds 2nd Addition
16. Accept Bids & Award Contract for Pumphouse No. 5 – *Resolution 2020-064*
17. Accept Bids & Award Contract for Well No. 5 Connecting Watermain – *Resolution 2020-065*
18. Accept Donation from Lake Elmo Baseball for New Bleachers – *Resolution 2020-066*
19. Accept Donation from Jay and Vickie Pernu for a Memorial Bench – *Resolution 2020-067*
20. Approve Wyndham Village Development Agreement - *Resolution 2020-068*
21. Accept Resignation and Authorize Posting for Accountant
22. Accept Resignation of Part Time Fire Fighter

***Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.***

**ITEM 6: Approve Settlement Agreement with Hamlet on Sunfish HOA Regarding Trails**

City Administrator Handt reported that the City and HOA reached a settlement outlined in the proposed agreement and reviewed a map noting trail location.

***Councilmember Bloyer, seconded by Councilmember McGinn, moved TO APPROVE THE SETTLEMENT AGREEMENT WITH THE HAMLET ON SUNFISH LAKE HOA REGARDIGN THE TRAILS. Motion passed 5 – 0.***

**ITEM 10: Approve COVID 19 Preparedness Plan**

City Administrator Handt provided a brief overview of the plan prepared per the latest Executive Order from the Governor.

Susan Dunn, 11018 Upper 33<sup>rd</sup> Street N., commented that the City has done an outstanding job during the pandemic with video meetings and going the extra mile.

*Councilmember Bloyer, seconded by Councilmember Dorschner, moved TO APPROVE THE COVID 19 PREPAREDNESS PLAN. Motion passed 5 – 0.*

**ITEM 23: Public Meeting for MS4 Permit Program and Accept 2019 MS4 Annual Report**

City Engineer Griffin presented the Annual Report on the MS4 permit program.

*Mayor Pearson, seconded by Councilmember Dorschner, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

No comments were received from the public.

*Councilmember Bloyer, seconded by Mayor Pearson, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.*

*Councilmember Bloyer, seconded by Councilmember Dorschner, moved TO ACCEPT THE MS4 ANNUAL REPORT AND AUTHORIZE STAFF TO SUBMIT THE REPORT TO THE MPCA. Motion passed 5 – 0.*

**ITEM 24: Boulder Ponds 5<sup>th</sup> Addition – Final Plat and Final PUD Approval**

Planning Director Roberts presented the request for final plat and PUD approval that includes a change from the preliminary plat that would split one large lot into three lots. Ben Schmidt, Excelsior Group, commented on the proposed newly created lots.

*Councilmember Dorschner, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2020-069 APPROVING BOULDER PONDS 5<sup>TH</sup> ADDITION FINAL PLAT AND PUD AMENDMENT PLANS SUBJECT TO THE DEVELOPER CHANGING THE FINAL PLAT FROM THREE LOTS TO TWO LOTS AND SUBJECT TO THE CONDITIONS OF APPROVAL AS LISTED IN THE STAFF REPORT. Motion failed 2 – 3. (Person, Bloyer, McGinn – nay)*

*Councilmember McGinn, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2020-069 APPROVING BOULDER PONDS 5<sup>TH</sup> ADDITION FINAL PLAT AND PUD AMENDMENT PLANS SUBJECT TO THE DEVELOPER CHANGING THE FINAL PLAT FROM THREE LOTS TO ONE LOT AND SUBJECT TO THE CONDITIONS OF APPROVAL AS LISTED IN THE STAFF REPORT. Motion failed 1 - 4. (Pearson, Bloyer, Dorschner, McGinn – nay)*

*Councilmember Dorschner, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2020-069 APPROVING BOULDER PONDS 5<sup>TH</sup> ADDITION FINAL PLAT AND PUD AMENDMENT PLANS SUBJECT TO THE DEVELOPER CHANGING THE FINAL PLAT FROM THREE LOTS TO TWO LOTS AND SUBJECT TO THE*

**CONDITIONS OF APPROVAL AS LISTED IN THE STAFF REPORT.** Motion passed 3 - 2. (Bloyer, McGinn – nay)

**ITEM 25: Accept Bids & Award Contract for Hamlet on Sunfish Lake Sanitary Sewer Extension**

City Engineer Griffin reviewed the bids received for the project, noting updated cost figures. Discussion was held concerning payment from the HOA and/or individual property owners for the cost of the project.

***Councilmember Bloyer, seconded by Councilmember McGinn moved TO POSTPONE TO THE NEXT CITY COUNCIL MEETING.*** Motion passed 4 – 1. (Bloyer – nay)

**ITEM 26: Old Village Phase 5 and 6 Street and Utility Improvements**

City Engineer Griffin presented the proposed scope of work, estimated costs and project timeline.

***Councilmember McGinn, seconded by Councilmember Nelson, moved TO AUTHORIZE SEH, INC. TO PREPARE PLANS AND SPECIFICATIONS FOR THE OLD VILLAGE PHASE 5 AND 6 STREET, DRAINAGE AND UTILITY IMPROVEMENTS IN THE NOT TO EXCEED AMOUNT OF 374,400.*** Motion passed 5 – 0.

***Councilmember McGinn, seconded by Councilmember Nelson, moved TO AUTHORIZE FOCUS ENGINEERING, INC. TO PREPARE PLANS AND SPECIFICATIONS FOR THE OLD VILLAGE PHASE 5 AND 6 STREET, DRAINAGE AND UTILITY IMPROVEMENTS IN THE NOT TO EXCEED AMOUNT OF \$83,700.*** Motion passed 5 – 0.

***Councilmember McGinn, seconded by Councilmember Dorschner, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A MATERIAL TESTING CONTRACT IN THE NOT TO EXCEED AMOUNT OF \$20,000 FOR THE OLD VILLAGE PHASE 5 & 6 STREET, DRAINAGE AND UTILITY IMPROVEMENTS.*** Motion passed 5 – 0.

**COUNCIL REPORTS**

**Mayor Pearson:** Received calls regarding flooding, working with Valley Branch Watershed District for assistance.

**Councilmember Bloyer:** Working with Valley Branch Watershed District to assist homeowners affected by flooding.

**Councilmember Nelson:** Working with property owners affected by flooding.

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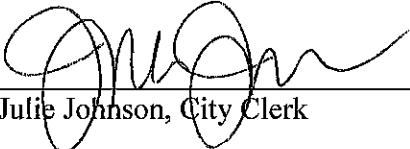
**STAFF REPORTS AND ANNOUNCEMENTS**

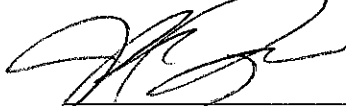
**Administrator Handt:** Thanked volunteers for helping with the tree giveaway, announced ground breaking at Lake Elmo Senior Living on July 10<sup>th</sup>, working on budget preparation.

Meeting adjourned at 8:48 pm.

**LAKE ELMO CITY COUNCIL**

ATTEST:

  
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Julie Johnson, City Clerk

  
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Mike Pearson, Mayor