CITY OF LAKE ELMO
CITY COUNCIL MINUTES
OCTOBER 18, 2016

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Mike Pearson and Councilmembers Julie Fliflet, Anne Smith, Justin Bloyer, and Jill Lundgren.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Finance Director Bendel, Planning Director Wensman, Fire Chief Malmquist, Public Works Director Weldon, Building Official Bent and City Clerk Johnson.

APPROVAL OF AGENDA

Councilmember Lundgren, seconded by Councilmember Smith, moved TO APPROVE THE AGENDA AS PRESENTED.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO ADD "TAPING OF CITY COUNCIL WORKSHOPS AND COMMITTEE MEETINGS" TO THE AGENDA. **Motion failed 2 – 3. (Pearson, Bloyer, Lundgren – nay)**

Mayor Pearson moved TO RECONSIDER ADDITON THE TOPIC OF TAPING CITY COUNCIL WORKSHOPS AND COMMITTEE MEETINGS TO THE AGENDA AS ITEM 25. **Motion passed 3 – 0- 2. (Bloyer, Lundgren – present/not voting)**

ACCEPT MINUTES

Minutes of the October 4, 2016 Regular Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Accept September 2016 Financial Statements
4. Accept September 2016 Assessor's Report
5. Accept September 2016 Building Department Report
6. Accept September 2016 Fire Department Report
7. Accept September 2016 Public Works Department Report
8. Approve Massage License Renewals
9. Approve Manning Ave Maintenance Agreement
10. Approve Inwood Booster Station Pay Request No. 5
11. Approve Inwood Water Tower (No. 4) Pay Request No. 5
12. Approve Purchase of Public Works Pickup Truck
13. Approve Hiring of New Building Inspector
14. Approve Purchase of New Building Inspector Vehicle

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. **MOTION PASSED 5-0.**

ITEM 15: Old Village Phase 1 Street and Utility Improvements

City Engineer Griffin presented an overview of the projects completed in Phase 1, noting that Phase 2 will be completed next year. Griffin reviewed final costs, Washington County cost sharing and funding sources for the project. Griffin also reviewed the amount to be assessed to property owners and the method for assessing.

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO OPEN THE PUBLIC HEARING. **Motion passed 5 – 0.**

City Attorney Sonsalla provided the required legal notices.

Bill Wacker, 3603 Laverne Avenue North, stated he did not receive a notice for a street assessment. Engineer Griffin explained that Mr. Wacker's access is from 36th Street and he would not have a street assessment until that street is improved.

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

Mayor Pearson, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION 2016-94 ADOPTING THE FINAL ASSESSMENT ROLL FOR THE OLD VILLAGE PHASE 1 STREET, DRAINAGE AND UTILITY IMPROVEMENTS. **Motion passed 5- 0.**

ITEM 16: 2016 Street Improvements

City Engineer Griffin reviewed the project areas and scope of improvements. Griffin also reviewed the assessment methodology and proposed final assessment amounts, payment schedule and interest cost. Discussion was held concerning the assessment policy.

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

City Attorney Sonsalla provided the required legal notices. There were no public comments.

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

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2016-95 ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 206 STREET, DRAINAGE AND UTILITY IMPROVEMENTS WITH A CHANGE IN TERMS TO ALLOW FOR 15 YEAR PAYMENT ON STREETS AND 20 YEAR PAYMENT ON WATER IMPROVEMENTS. **Motion passed 4 – 0 – 1. (Fliflet – present/not voting)**

Councilmember Fliflet stated that she did not support the initial project and therefore did not support the motion.

ITEM 17: Financial Management Plan for Enterprise Funds

Tammy Omdahl of Northland Securities presented a Financial Management Plan for water, sanitary sewer and storm sewer funds prepared by Northland Securities for the City. Discussion was held concerning the management plan and projections.

ITEM 18: Inwood 4th Addition Final PUD Plans and Final Plat

Planning Director Wensman presented the request from M & I Homes for 38 residential lots in the 4th addition of the Inwood development. Wensman also reviewed the proposed conditions of approval. John Rask, Hans Hagen Homes, explained the phasing plan for the remaining undeveloped areas.

Councilmember Smith, seconded by Mayor Pearson, moved TO APPROVE RESOLUTION 2016-90 APPROVING THE FINAL PLAT FOR INWOOD 4TH ADDITION PLANNED UNIT DEVELOPMENT. **Motion passed 4 – 0 - 1. (Fliflet – present/not voting)**

ITEM 19: Rockpoint Church

Planning Director Wensman reviewed the location and request for a Conditional Use Permit amendment to allow construction of an overflow parking lot on the eastern portion of the property containing 124 parking spaces. Wensman also reviewed planning/zoning issues, draft findings, recommendations and an objection letter from a neighbor.

Councilmember Smith, seconded by Councilmember Bloyer, moved TO APPROVE RESOLUTION 2016-91 APPROVING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW CONSTRUCTION OF AN OVERFLOW PARKING LOT FOR A CHURCK FOR THE PROPERTY LOCATED AT 5825 KELVIN AVENUE NORTH, WITH FINDINGS OUTLINED BY THE PLANNING DIRECTOR. **Motion passed 5 – 0.**

ITEM 20: Conditional Use Permit Request for an Additional Accessory Structure – 5699 Keats Avenue North

Planning Director Wensman presented the request to expand a farming operation at 5699 Keats Avenue North and allow for an additional storage building.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION 2016-92 GRANTING A CONDITIONAL USE PERMIT FOR AN ADDITIONAL ACCESSORY STRUCTURE AT 5699 KEATS AVENUE NORTH, SUBJECT TO THE OUTLINED CONDITIONS OF APPROVAL, EXCEPT #10 AND #11. **Motion failed 2 – 3. (Fliflet, Lundgren, Smith – nay)**

Councilmember Lundgren, seconded by Mayor Pearson, moved TO APPROVE RESOLUTION 2016-92 GRANTING A CONDITIONAL USE PERMIT FOR AN ADDITIONAL ACCESSORY STRUCTURE AT 5699 KEATS AVENUE NORTH, SUBJECT TO THE OUTLINED CONDITIONS OF APPROVAL, STRIKING THE LAST SENTENCE

OF CONDITION #10 AND STRIKING CONDITION #11. **Motion passed 4 – 1. (Pearson – nay)**

ITEM 21: Adjacent Jurisdiction Review – Stillwater Comp Plan Amendment for HyVee

Planning Director Wensman requested City Council comment to be provided to the City of Stillwater regarding the possible construction of a HyVee store in the northeast quadrant of the intersection of Highway 36 and Manning Avenue. Councilmembers expressed safety concerns for the Sanctuary neighborhood and Highway 36 intersection issues.

ITEM 22: Moratorium on Shoreland District Properties

City Attorney Sonsalla reviewed the history of the moratorium ordinance and presented a proposal for a moratorium on development in the shoreland district.

Hamlet HOA President Tim Narum reported that the neighborhood is working with the MPCA and hoping to connect to city sewer when the Gonyea development moves forward and hopes they can still submit plans so city sewer can be brought to the Hamlet neighborhood.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO ADOPT INTERIM ORDINANCE 08-156 AUTHORIZING CONTINUANCE OF A STUDY OF THE CITY'S SHORELAND REGULATIONS AND IMPOSING AN MORATORIUM ON DEVELOPMENT ACTIVITY WITHIN THE SHORELAND DISTRICT. **Motion passed 4 – 0 – 1. (Pearson – present/not voting)**

ITEM 23: Source Newsletter

Councilmember Fliflet stated that the City's Source quarterly newsletter has not been going out and there has not been City Council direction to discontinue it.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO MAKE SURE A FALL NEWSLETTER GOES OUT TO THE RESIDENTS WITHIN THE NEXT 2 – 3 WEEKS. Councilmember Fliflet, seconded by Councilmember Smith, modified the motion to remove the timeline. **Motion adopted by unanimous consensus.**

ITEM 24: Tahoe Response to Emergency Calls

Councilmember Smith stated that there was an emergency call recently that the Fire Department responded to with a fire truck rather than the Tahoe vehicle. Staff was directed to bring the Tahoe response policy to the next meeting for discussion.

ITEM 25: Taping of Meetings

Councilmember Fliflet, seconded by Councilmember Bloyer, moved TO TAPE CITY COUNCIL WORKSHOPS AND COMMITTEE MEETINGS.

Barry Weeks, 3647 Lake Elmo Avenue N., thanked the Council for deciding to tape meetings.

Dick Wier, 3645 Laverne Avenue North, stated he has lost income coming to meetings because they weren't available to watch on tape at another time.

Susan Dunn, 11018 Upper 33rd St. N., spoke about open meetings and asked if recordings are public records.

Brian Butler, 3631 Laverne Avenue North, commented on meeting times, stating that it is not always possible to leave work to attend meetings.

Motion passed 5 – 0.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Reported on the Environmental Committee meeting.

City Clerk Johnson: Reported on absentee voting locations and hours.

Finance Director Bendel: Working on special assessments and third quarter utility bills.

City Attorney Sonsalla: Asked for input on scheduling the City Administrator's review.

Planning Director Wensman: Received comments from the DNR on the shoreland ordinance.

City Engineer Griffin: Working on wrapping up construction projects before winter and working to acquire well advisory area information.

Meeting adjourned at 10:54 pm.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk