

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
AUGUST 18, 2015**

A. CALL TO ORDER

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

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

Staff present: Interim Administrator Schroeder, City Attorney Snyder, City Engineer Griffin, Finance Director Bendel, Community Development Director Klatt, Building Inspector Chase, Fire Chief Malmquist, Planner Gozola and City Clerk Johnson.

B. PLEDGE OF ALLIGENCE

C. APPROVAL OF AGENDA

Councilmember Bloyer moved items 10 and 11 from the Consent Agenda to the Regular Agenda, item 17 from the Regular Agenda to the Consent Agenda, and postponed items 19, 20, 21 and 22 to another meeting. Mayor Pearson moved item 8 from the Consent Agenda to the Regular Agenda. Councilmember Smith moved item 7 from the Consent Agenda to the Regular Agenda. Councilmember Fliflet tabled item 1a.

Councilmember Lundgren moved TO APPROVE THE AGENDA AS AMENDED. Mayor Pearson seconded the motion. MOTION PASSED 5 – 0.

D. ACCEPT MINUTES

Minutes of the August 4, 2015 Regular Meeting and August 11, 2015 Special Meeting were accepted as presented.

COUNCIL REPORTS

Mayor Pearson: Attended Parks and Planning Commission meetings, met with County on the Manning Avenue realignment project, scheduled a meeting with the school district to discuss the request for a stoplight, met with MAC to discuss proposed safety improvements, met with a landowner for an easement allowance, attended Gateway Corridor meeting. Gateway Corridor public hearings are scheduled, one in Woodbury and one in Lake Elmo. Asked residents to keep downtown merchants in mind and asked for patience during construction.

Councilmember Fliflet: Attended Library Board meeting, met with Commissioner Kriesel concerning Tartan Park, thanked Administrator Schroeder for his assistance with the Library alley issue, attended Special Olympics Equestrian event.

Councilmember Smith: Encouraged residents to attend the Lake Elmo Farmer's Market and commended vendors. Reviewed documents related to the Library alley issue provided by the Administrator and attended meeting to discuss the project, met with a possible senior housing developer.

Councilmember Lundgren: attended Huff n' Puff Days, working on a dog park and may have donors willing to help with the amenities, happy to see everyone using the new water cooler versus plastic bottles, spoke with residents about Tartan Park. Also announced Lake Elmo is one of four cities in the state to receive a Bee Friendly City award September 5th at Lift Bridge Brewery in Stillwater.

Councilmember Bloyer: Commended Council and former Communications Coordinator MacLeod for their work toward earning the Bee Friendly award for the City. Attended Huff n' Puff Days, spoke with people downtown about the construction, attended fire department pancake breakfast during Huff n' Puff, thanked fire department for their help at Tri Lakes Days, noting that there were many children at the event who enjoyed the fire department involvement, attended Washington County Highway 5 realignment meeting. Requested an update from Councilmember Lundgren on past events at the Farmer's Market. Contacted City of Stillwater and City of Oakdale clerks to inquire about their policy toward recording meetings.

Discussion held concerning the purpose of the Council Reports and the nature of what can be presented during the reports.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

None

FINANCE CONSENT AGENDA

2. Approve Payment of Disbursements
3. Accept Assessor Report dated July 30, 2015
4. Approve Purchase of Warning Sirens
5. Approve Purchase of Parks Equipment

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

OTHER CONSENT AGENDA

6. Approve Master Subscriber Agreement for MN Court Data Services
9. Approve Appointment of New Maintenance Advisory Committee Members
12. Approve Proposal for 2016 Street Improvements Geotechnical Services
13. Accept Building Report
17. 2016 Volksmarch

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

ITEM 7: APPROVE 5TH STREET LANDSCAPE AND LIGHTING DESIGN

Councilmember Smith stated that she pulled this item from the Consent Agenda to be sure the correct plant container sizes, four inch caliper trees, and the correct lighting poles are included in the design guidelines. City Engineer Griffin pointed out the location of those items in the document.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO APPROVE THE LANDSCAPE AND LIGHTING DESIGN DETAILS TO BE INCORPORATED INTO THE 5TH STREET DESIGN STANDARDS TO INFORM THE DESIGN AND CONSTRUCTION FOR ALL PORTIONS OF THE 5TH STREET NORTH MSA COLLECTOR STREET FROM INWOOD AVENUE TO MANNING AVENUE. MOTION PASSED 5 – 0.

ITEM 8: APPROVE RESOLUTION CONCERNING TARTAN PARK – Resolution 2015-63

Mayor Pearson stated that point D should be removed, as there is not a need to appoint two Councilmembers as liaisons.

Mayor Pearson, seconded by Councilmember Smith, moved TO ADOPT RESOLUTION 2015-63 CONCERNING TARTAN PARK, WITH THE OMISSION OF POINT D. MOTION PASSED 5 – 0.

ITEM 10: APPROVE LIBRARY BOARD REQUEST FOR ALTERATIONS TO THE LIBRARY BUILDING

Councilmember Bloyer asked how many bids were received for the proposed project. Councilmember Fliflet stated that the Purchasing Policy only requires one bid when the cost is under \$25,000. Concern was raised over a potential conflict of interest the City may have with the contractor. Administrator Schroeder and City Attorney Snyder were asked to follow up on the potential conflict issue.

Councilmember Smith, seconded by Mayor Pearson, moved TO APPROVE THE LIBRARY BOARD REQUEST FOR ALTERATIONS TO THE LIBRARY BUILDING, SUBJECT TO DISCUSSION WITH STAFF CONCERNING A POTENTIAL CONFLICT OF INTEREST. MOTION PASSED 5 – 0.

ITEM 11: RECEIVE LIBRARY BOARD MEMO REGARDING ALLEY CONCERN

Councilmember Bloyer requested further information on the alley concern and the proposal from the library to resolve the issue. Interim Administrator Schroeder reviewed the street and sewer project as it relates to the alley behind the library, noting that safety is the main concern. Engineer Griffin reported that his firm is looking at options to continue the alley use and provide safe access for library patrons. Griffin stated they are exploring options and will bring proposals to the City Council for approval if the construction plans are changed to address the library's concerns.

Discussion held; Mayor Pearson stated that there is a cost to reworking plans and the Council should have been involved prior to the Library Board discussing changes with Washington County. Pearson also stated that the city staff should be the advocate for resolving the issue. Councilmember Bloyer expressed concern over costly changes to stormwater systems and other elements of the project, and would like city staff to take the lead on addressing the library's concerns.

Councilmember Fliflet, seconded by Councilmember Smith, MOVED TO ACCEPT THE MEMO FROM THE LIBRARY BOARD REGARDING ALLEY CONCERN.

Mayor Pearson offered a friendly amendment to the motion to add that the City will take the lead on addressing the alley concern. Amendment failed.

Mayor Pearson and Councilmember Bloyer restated their positions that city staff and the City Council should advocate for the City and the library in resolving this issue.

MOTION PASSED 3 – 2. (Pearson/Bloyer – Nay)

ITEM 14: AUTO OWNERS INSURANCE

City Planner Gozola presented the proposal from Auto Owners Insurance for construction of an office building on a vacant site in the Eagle Creek Business Park. Gozola reviewed the site plan, building elevations, and noted areas reserved for future expansion. Planning Commission recommended additional roof articulation and the applicant has agreed to the change. With that, the Planning Commission voted unanimously to approve the project.

Dan Keefe, Real Estate Development and Acquisition Manager for Auto Owners Insurance spoke on behalf of the applicant, thanking city staff for their work to bring the application to the Council. Mr. Keefe reviewed the company's business and the planned use of the building.

Councilmember Bloyer, seconded by Councilmember Smith, moved TO ADOPT RESOLUTION 2015-65 APPROVING THE PRELIMINARY AND FINAL PUD PLANS FOR THE AUTO OWNERS INSURANCE BUILDING. MOTION PASSED 5 – 0.

ITEM 15: ZONING TEXT AMENDMENT – SUBDIVISION IDENTIFICATION SIGNS – ORDINANCE 08-124

Community Development Director Klatt reported on Planning Commission discussion and recommendations for the proposed ordinance, noting that there were concerns that monuments built around the signs could get too large.

Discussion held concerning the difference between monument and subdivision signs, how signs would be measured, and number of signs allowed. Klatt noted that the sign ordinance defines how signs are measured. Councilmember Fliflet stated she is not in favor of submonument signs. Mayor Pearson stated concern over limiting signs with some neighborhoods having multiple entrances. Councilmember Smith added that a 10 foot setback should be included, and signs limited to 24 square feet with two allowed.

Councilmember Smith, seconded by Councilmember Fliflet, moved TO ADOPT ORDINANCE 08-124 WITH A CHANGE IN THE MAXIMUM SIZE TO 24 FEET, REMOVING LANGUAGE IN C.iv. AND REPLACING IT WITH LANGUAGE REQUIRING A 10 FOOT SETBACK FROM THE STREET.

Councilmember Bloyer presented measurements for subdivision signs currently in place in the City and noted that they are not compliant with the proposed ordinance. Bloyer stated that the Council is making decisions arbitrarily.

MOTION PASSED 3 – 2. (Pearson/Bloyer – Nay)

ITEM 16: BUILDING INSPECTOR POSITION

Community Development Director Klatt reviewed the request to authorize the hiring of a full time building inspector and stated that the position has been included in the budget for 2015 and proposed for 2016. Building Inspector Chase reviewed data for building permits issued in 2014, year to date 2015 and projections for 2016. Chase also reported on current timelines for plan reviews and issuing permits.

Councilmember Fliflet noted that the Finance Committee discussed using a contract inspector in place of adding an additional full time inspector. Councilmember Bloyer stated that contract inspectors are difficult to find and won't be able to perform the same tasks as a full time staff inspector who is more familiar with city nuances.

Councilmember Fliflet, seconded by councilmember smith, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO ADVERTISE, RECRUIT, INTERVIEW AND PRESENT FOR EMPLOYMENT AN ADDITIONAL CONTRACT BUILDING INSPECTOR.

Mayor Pearson stated that the guideline set for hiring an additional inspector has been met and the revenue will be there to support the cost. Pearson stressed that the building department provides an important service to residents.

MOTION PASSED 3 – 2. (Pearson/Bloyer – Nay)

ITEM 18: DOG PARK

Councilmember Lundgren presented her proposal for a dog park on city property adjacent to the west side of Sunfish Lake Park. The proposal was presented to the Parks Commission at the August 17, 2015 meeting with Commissioners in favor of the project. Councilmember Lundgren stated that she will continue to work with the Parks Commission to finalize plans for a dog park.

ITEM 23: PROJECTED CITY GROWTH ANALYSIS

Community Development Director Klatt presented maps he prepared and reviewed the data on potential future development. Finance Director Bendel reviewed data comparing projected resident numbers to Met Council target numbers. Discussion was held concerning people per household calculations and future development potential.

ITEM 24: OLD VILLAGE WORK GROUP MEMBERSHIP

Mayor Pearson encouraged the City Council to consider including others requesting membership in the Old Village Work Group. Discussion was held concerning the current group and the possibility of adding additional members.

Councilmember Bloyer, seconded by Mayor Pearson, moved THAT THE OLD VILLAGE WORK GROUP BE REQUIRED TO HAVE THREE CITIZENS SERVING WHO RESIDE IN THE OLD VILLAGE

Councilmember Fliflet stated she prefers an environment where everyone is welcome versus choosing three new members to join the group. Councilmember Bloyer stated there are no members of the group who reside in the Old Village.

MOTION FAILED 2 -3. (Fliflet, Smith, Lundgren – Nay)

STAFF REPORTS AND ANNOUNCEMENTS

Interim City Administrator Schroeder: Met with Washington County staff and Trust for Public Lands to discuss Tartan Park, attended Gateway Corridor meeting in Woodbury, City Planner position has been posted, attended County realignment meeting and Library Board meeting.

City Clerk Johnson: Working on follow up from the Parks Commission meeting with several items for City Council consideration.

Finance Director Bendel: Attended the Finance Committee August 12th meeting on the preliminary 2016 Budget and taking care of follow up; September 9th will be the next Finance Committee meeting, working with Northland as part of bonding support and working on options for downtown project financing, mentioned the Rotary Gold Plate Dinner is September 17th and that part of the proceeds are to fund some of the downtown amenities.

City Attorney Snyder: no report.

Community Development Director Klatt: Holding a public hearing at the next Planning Commission meeting for the ISD 916 project and preparing two final plats for that meeting as well. Continuing to work on Wildflower, Village Preserve and Easton Village as those projects move toward construction. Thanked Administrator Schroeder for assisting with the job posting for the City Planner position.

City Engineer Griffin: Provided a written report prior to the meeting for Council review. Heading into a very busy fall for construction and working on plan reviews for upcoming projects. Attended a meeting with the County on the Ideal Ave. corridor project.

Meeting adjourned at 10:54 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk