

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
SEPTEMBER 1, 2015**

A. CALL TO ORDER

Mayor Pearson called the meeting to order at 7:06 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, Public Works Superintendent Bouthilet, and City Clerk Johnson.

City Attorney Snyder stated that the City Council met in Executive Session prior to the regular meeting pursuant to Minnesota Statute 13.393, 13.29 and 13.42 to receive non public personnel data and advice from the attorney.

B. PLEDGE OF ALLIGENCE

C. APPROVAL OF AGENDA

Councilmember Fliflet moved item 7 to the Regular Agenda and postponed 17 and 18 to the next meeting. Councilmember Lundgren removed item 20 from the Regular Agenda. Councilmember Smith moved item 5 to the Regular Agenda.

Discussion held concerning the placement and title of agenda items by Councilmembers.

Councilmember Smith, seconded by Councilmember Fliflet, moved to remove item 17 from the agenda. MOTION PASSED 3 – 2. (Pearson, Bloyer – Nay)

Councilmember Fliflet, seconded by Councilmember Smith, moved TO APPROVE THE AGENDA AS AMENDED. MOTION PASSED 5 – 0.

D. ACCEPT MINUTES

Minutes of the June 9, 2015 Regular Meeting were accepted as amended. Minutes of the August 18, 2015 Regular Meeting were accepted as presented.

COUNCIL REPORTS

Mayor Pearson: Met with Oakdale Mayor and City Administrator, met with potential developers of a senior center, attended Library alley meeting, attended a meeting with Village and downtown residents.

Councilmember Fliflet: Attended Library meeting concerning the alley, will be attending Library Board meeting on Wednesday. Fielded calls on the proposed cemetery, met with developer of a senior center and met with downtown business owners and residents regarding construction plans.

Councilmember Smith: Just returned from an eleven day vacation, fielded calls on the Inwood water booster station and met with developers of a downtown senior center.

Councilmember Lundgren: Announced the Farmers Market will be ending in two weeks, attended the Public Safety Committee meeting and a workshop on Tartan Park. Spoke with residents concerning Tartan Park and the cemetery proposal. Working on a dog park in the city and reminded council of the pollinator city award.

Councilmember Bloyer: Attended the Library meeting regarding the alley, worked on a code compliance issue with the Building Official, took calls from residents on the proposed cemetery, received a complaint regarding real estate brokerage signs.

PUBLIC COMMENTS/INQUIRIES

Barry Weeks, 3647 Lake Elmo Avenue N., discussed two meetings held earlier in the week concerning the downtown project and asked the City to do a better job notifying downtown residents and business owners of future meetings.

PRESENTATIONS

William Schroeer of East Metro Strong presented an outline for the City's participation in a impact study related to the proposed Bus Rapid Transit line through Lake Elmo. Discussion was held concerning potential impact of the study on Met Council population requirements.

FINANCE CONSENT AGENDA

- 2. Approve Payment of Disbursements and Payroll**
- 3. Approve Finance Report Dated 7/31/15**
- 4. Approve the TNT Public Hearing Date for the 2015 Budget and Tax Levy – *Resolution 2015-66***

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

OTHER CONSENT AGENDA

- 5. ~~39th Street N. Street & Sanitary Sewer Improvements—Approve Tree Replacement Proposal~~**
- 6. 2014 Street Improvements – Call for Final Assessment Hearing – *Resolution 2015-68***
- 7. ~~Approve Tree Planting on Hill Trail~~**
- 8. Approve Eagle Point Boulevard Testing Contract**

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

ITEM 12: ZONING TEXT AMENDMENT: COMMERCIAL WEDDING CEREMONY VENUE ORDINANCE

ITEM 5: 39TH STREET N. STREET & SANITARY SEWER IMPROVEMENTS – APPROVE TREE REPLACEMENT PROPOSAL

Councilmember Smith stated that the replacement trees should be changed from 2.5” trees to 4” trees specified in other areas of the City.

Councilmember Smith, seconded by Councilmember Bloyer, moved TO APPROVE TREE REPLACEMENT PROPOSAL WITH AN UPGRADE TO 4" TREES, SUBJECT TO CITY ADMINISTRATOR APPROVAL OF THE ADDITIONAL COST. MOTION PASSED 5 – 0

ITEM 7: APPROVE TREE PLANTING ON HILL TRAIL

Interim Administrator Schroeder reported that Mayor Pearson and Councilmember Bloyer visited a property on Hill Trail as a result of numerous resident complaints. Staff is recommending planting pine trees in the right of way to screen the view of a vehicle used for storage. Definition of “operational vehicle” was discussed. Councilmember Fliflet stated that the storage vehicle should be addressed and neighbors are concerned that the trees won’t provide adequate screening. Councilmember Smith asked if the City code can be amended to be clear concerning what qualifies as an operational vehicle. Councilmember Lundgren stated that the trees aren’t needed if the vehicle is not in violation of the City Ordinance and expressed concern over the cost of the trees.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO AUTHORIZE STAFF TO PLANT THREE TREES IN THE RIGHT OF WAY ON HILL TRAIL. MOTION FAILED 2 – 3. (Fliflet, Lundgren, Smith – Nay)

ITEM 9: PEBBLE PARK PICNIC SHELTER

Public Works Superintendent Bouthilet stated that the picnic shelter is the last item on the approved list of improvements for Pebble Park. The Parks Commission has recommended approval of the purchase with the additional cost over the budgeted amount to be paid from the Park Land Dedication Fund. Councilmembers discussed adding power to the park shelter in the future. Councilmembers Fliflet and Lundgren questioned the cost of the gable end ornamental insert with the park name.

Councilmember Bloyer, seconded by Councilmember Smith, moved TO AUTHORIZE EXPENDITURE OF UP TO \$24,000 FROM THE PARK LAND DEDICATION FUND FOR THE PURCHASE AND INSTALLATION OF A PICNIC SHELTER IN PEBBLE PARK.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO AMEND THE MOTION TO REMOVE THE SIGN IN THE GABLED END. MOTION FAILED 2 – 3. (Bloyer, Pearson, Smith – Nay)

Further discussion was held concerning the cost of the sign on the gabled end ornamental insert. Public Works Superintendent Bouthilet stated he would obtain an breakdown of the costs and report back to the Council.

PRIMARY MOTION PASSED 5 – 0.

ITEM 10: TABLYN PARK UPGRADES

Public Works Superintendent Bouthilet reported on the Parks Commission's recommended upgrades for Tablyn Park. Bouthilet stated that the first three projects are removal of the basketball court, relocating the swingset and removing brush from the hill between the parking lot and play area. Councilmember Fliflet expressed concern over removing park amenities. Mayor Pearson stated he would prefer to accept the Parks Commission recommendations.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE RENTAL OF BRUSH REMOVAL EQUIPMENT FOR USE AT TABLYN PARK. MOTION PASSED 3 – 1 – 1. (Pearson – Nay, Bloyer – Present)

ITEM 11: VILLAGE PARK PRESERVE FINAL PLAT EXTENSION

Community Development Director Klatt explained the request for an extension for the Village Park Reserve final plat approval. Craig Allen, Gonyea Land Company, added that they are getting a later start than anticipated at their Village Preserve development and are unsure how long that project will take so they can move on to the Village Park Preserve project.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2015-73 EXTENDING THE FINAL PLAT SUBMISSION DEADLINE FOR VILLAGE PARK PRESERVE RESIDENTIAL SUBDIVISION TO APRIL 15, 2019.

Councilmember Smith asked if delay is to avoid design standard changes. Mr. Allen responded that the delay is due to the number of units already under way. Councilmember Fliflet indicated she could support the extension with additional conditions.

Councilmember Lundgren offered a friendly amendment changing the expiration date to APRIL 15, 2017. Councilmember Bloyer accepted the amendment. MOTION PASSED 3 – 2. (Fliflet, Smith – Nay)

ITEM 13: INWOOD 2ND ADDITION FINAL PLAT

Community Development Director Klatt stated that the Planning Commission recommended approval of the final plat and reviewed the map of the area.

Councilmember Lundgren, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2015-69 APPROVING THE FINAL PLAT FOR INWOOD 2ND ADDITION. MOTION PASSED 5 – 0.

ITEM 14: SAVONA 3RD ADDITION FINAL PLAT

Community Development Director Klatt reviewed the site plan and areas included in the 3rd Addition. Klatt also reviewed the staff comments and Planning Commission recommendations.

Councilmember Smith inquired about the design of the townhomes and past direction from the Planning Commission to redesign the front elevations. Lennar Representative Paul Tabone stated that he was unsure what was proposed in the past and that the townhomes under construction are

the current Lennar design. Councilmember Smith stated that the townhomes are subject to multifamily design standards, not single family. Discussion was also held concerning the proposed private park and what improvements would be provided by the developer in the park.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2015-70 APPROVING THE FINAL PLAT FOR SAVONA 3RD ADDITION WITH CONDITIONS 11 AND 12 STRICKEN. ROLL CALL VOTE TAKEN. MOTION FAILED 2 – 3. (Fliflet, Lundgren, Smith – Nay)

Councilmember Fliflet stated she could not support the approval with conditions 11 and 12 stricken. Councilmember Smith asked to table the approval for further research on the distinction between single family and multifamily housing and the park issue.

Councilmember Smith, seconded by Councilmember Fliflet, moved TO TABLE SAVONA 3RD ADDITION PLAT APPROVAL TO THE NEXT MEETING. MOTION PASSED 3 – 2. (Pearson, Bloyer – nay)

City Attorney Snyder stated that staff would review and clarify single family versus multifamily definition, provide greater clarity on the amenities in the private park and the degree of review for landscaping around the retaining wall for the next Council meeting.

ITEM 15: SAVONA 3RD ADDITION DEVELOPMENT AGREEMENT

Councilmember Fliflet, seconded by Councilmember Smith, moved TO TABLE SAVONA 3RD ADDITION DEVELOPMENT AGREEMENT UNTIL THE FINAL PLAT COMES BACK FOR COUNCIL APPROVAL DUE TO THE LATENESS OF THE HOUR. MOTION PASSED 3 – 2. (Pearson, Bloyer – Nay)

ITEM 16: NE METRO 916 INTERMEDIATE SCHOOL DISTRICT FINAL PLAT AND PRELIMINARY AND FINAL PUD PLANS

Community Development Director Klatt noted that no representatives from the School District were present and suggested that the item could be tabled.

Councilmember Smith moved to table to the next Council meeting. MOTION FAILED FOR LACK OF A SECOND.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2015-72 APPROVING THE PRELIMINARY AND FINAL PLAT AND PRELIMINARY AND FINAL PUD PLANS FOR THE NORTHEAST METRO INTERMEDIATE SCHOOL DISTRICT 916 SCHOOL FACILITY.

Community Development Director Klatt presented an overview of the site and proposed improvements. Councilmember Fliflet noted that space for school busses to navigate the parking lot should be addressed. Interim Administrator Schroeder stated that she spoke with school district representatives who explained that smaller busses and vans are typically used to transport students to this type of facility.

MOTION PASSED 5 – 0.

ITEM 17: WAC AND SAC PROFORMA DISCUSSION

ITEM 18: LAKE ELMO WATER RATES

ITEM 19: PLAT APPROVAL PROCESS/CONDITIONS OF APPROVAL

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO TABLE TO THE NEXT MEETING. MOTION PASSED 5 – 0.

Councilmember Fliflet asked anyone wanting to add to the memo on this item to direct their input to city staff.

ITEM 20: TRANSITIONING

ITEM 21: BUILDING INSPECTOR POSITION

Interim Administrator Schroeder presented an updated version of the memo from the previous meeting requesting authorization to hire a full time building inspector. Schroeder reported that the current contract inspector has given his thirty day termination notice and the city has been unable to secure another contract inspector. Schroeder noted that the city participates in a consortium with other cities to pool building inspection services and feedback has been received that Lake Elmo has been on the taking end for quite some time. Typical work load data from the League of Minnesota Cities for building inspectors was reviewed and it was stated that the additional inspector could also fill in with code compliance and other tasks if time allows.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO ADVERTISE, RECRUIT, INTERVIEW AND PRESENT FOR EMPLOYMENT A BUILDING INSPECTOR. MOTION PASSED 5 – 0.

STAFF REPORTS AND ANNOUNCEMENTS

Interim City Administrator Schroeder: Working on Tartan Park with Washington County and the Trust for Public Land; Library alley issue; met with representatives from Hans Hagen Homes; met with Mayor and Administrator of Oakdale; attended Gateway Corridor meetings and Washington County Library meeting; receiving City Planner applications; conducted a site visit at the Art Center building.

City Clerk Johnson: Working on the Fall issue of The Source that will go to print on September 23rd. Reminder of November 3rd Special Election and Volksmarch on October 10th.

Finance Director Bendel: Preparing budget information for upcoming Finance Committee and Council approval, 2016 Assessment files for all project completed this year.

City Attorney Snyder: Met with staff and responded to issues as they came up.

Community Development Director Klatt: Working with Landucci on a resubmission for development.

City Engineer Griffin: Received a report from Washington County ranking intersections for improvements and a report concerning the Gateway Corridor BRT and Hudson Road.

Meeting adjourned at 12:30 a.m.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk