

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
APRIL 19, 2016**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Meeting was called to order at 7:00 pm.

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

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Finance Director Bendel, Planning Director Wensman, and City Clerk Johnson.

APPROVAL OF AGENDA

Items 11 and 15 were moved from the Consent Agenda to the Regular Agenda. **Agenda approved as amended.**

ACCEPT MINUTES

Councilmember Fliflet, seconded by Councilmember Smith, moved TO APPROVE THE FEBRUARY 2, 2016 MINUTES WITH THE REMOVAL OF THE LAST PARAGRAPH ON PAGE 1. Motion passed 3 – 1. (Pearson – nay)

March 2, 2016 Minutes approved as presented.

PUBLIC COMMENTS/INQUIRIES

Virginia Pleban, 8245 59th Street North, spoke about volunteerism and encouraged others to appreciate volunteers.

PRESENTATIONS

Arbor Day: Mayor Pearson read the Arbor Day Proclamation

Environmental Committee: Committee Member Wendy Griffin spoke on behalf of the Environmental Committee and reported that a tree giveaway will be held on Arbor Day for Lake Elmo residents.

Lake Elmo Jaycees: President Casey Block presented the City with a \$10,000 donation from charitable gambling.

CONSENT AGENDA

- 2. Approve Payment of Disbursements**
- 3. Accept March 2016 Financial Statements**
- 4. Accept March 2016 Assessor's Report**

5. Approve Lift Station Repairs
6. Approve Hiring of Part Time Fire Department Administrative Assistant
7. Authorize Hiring of Interns
8. Authorize Advertisement for Public Works Director Position
9. 2016 Crack Sealing – Receive Quotes and Award Contract
10. Approve Inwood Water Tower Zoning Map Amendment- *Ordinance 08-134*
11. ~~Approve Home Occupation Definition Change- *Ordinance 08-135*~~
12. Comprehensive Map Amendment for MUSA – *Resolution 2016-31*
13. Approve Lawful Gambling Premises Permit for Pull Tab Sales at the Machine Shed Restaurant – *Resolution 2016-29*
14. Approve Summary Publication of Ordinance 08-132 Amending 2016 Fee Schedule – *Resolution 2016-30*
15. ~~Approve Waiving the Fee for Residents for Clean-up Day~~
16. Approve Fence Easement Encroachment Agreement 11913 32nd St N

Consent agenda approved as presented.

REGULAR AGENDA

ITEM 11: Approve Home Occupation Definition Change

Planning Director Wensman reviewed the proposed change in home occupation definitions as recommended by the Planning Commission.

Mayor Pearson, seconded by Councilmember Lundgren, moved TO APPROVE ORDINANCE 08-135 AMENDING THE HOME OCCUPATION DEFINITIONS OF CHAPTERS 154 & 11 OF LAKE ELMO'S MUNICIPAL CODE BY REMOVING "HAIRDRESSING," LIMITING STOCK IN TRADE TO 1000 SQUARE FEET, ALLOWING RETAIL SALES ANCILLARY TO THE PERMITTED BUSINESS, ELIMINATE THE WORD "HAIRDRESSING" AND REMOVING THE PROHIBITION OF BARBER SHOPS AND BEAUTY SALONS, AND AMENDING CHAPTER 11, SECTION 11.0: DEFINITIONS OF LAKE ELMO'S MUNICIPAL CODE BY ADDING A STOCK-IN-TRADE DEFINITION. Motion passed 4 – 0.

ITEM 15: Approve Waiving the Fee for Residents for Clean Up Day

City Administrator Handt stated that the Environmental Committee is working on organizing the event and reported on past fee amounts collected and grant funds available for use.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO APPROVE WAIVING THE FEE FOR RESIDENTS FOR CLEAN UP DAY.

Councilmember Fliflet, seconded by Councilmember Smith, moved an amendment adding TO EXPAND THE SCOPE OF CLEAN UP DAY TO INCLUDE ELECTRONICS AND BRUSH AND OTHER ITEMS THE ENVIRONMENTAL COMMITTEE CAN ORGANIZE. Motion passed 3 – 1. (Pearson – nay).

Primary motion passed 3 – 1 as amended. (Pearson – nay)

Mayor Pearson stated that other uses could be found for the funds that will be used to pay for this event, and waiving the fee may have consequences in the future.

ITEM 17: 2016 Street Improvements – Adopt Resolution 2016-31 Approving 2016 Street and Utility Improvements and Rescinding Resolution 2015-82

City Administrator Handt reported on the need to rescind Resolution 2015-82 and adopt a new resolution to approve the 2016 Street and Utility Improvements, noting that the resolution must pass by a 4/5 vote in order to be accepted by bond counsel for inclusion in the 2016 Capital Financing Plan.

Councilmember Fliflet moved TO TABLE ITEM 17 TO THE MAY 3, 2016 MEETING. Motion failed – no second.

Mayor Pearson moved TO ADOPT RESOLUTION 2016-31 APPROVING 2016 STREET AND UTILITY IMPROVEMENTS AND RESCINDING RESOLUTION 2015-82. Motion failed – no second.

Councilmember Fliflet requested staff prepare options for consideration at the next meeting that would include breaking out components of the project.

ITEM 18: 2016 Capital Improvement Financing Plan; Approval of the Issuance of G. O. Bond Series 2016A

Tammy Omdahl presented a Finance Plan Summary for the issuance of General Obligation Bonds, discussed Mooty's comments on the City's bond rating and reviewed the timeline for sale of bonds. Omdahl noted that the Council could put off action until the next meeting but does need to take action prior to the scheduled May 17, 2016 sale date.

Councilmember Smith, seconded by Councilmember Fliflet, moved TO POSTPONE ITEM 18 TO THE MAY 3, 2016 MEETING. Motion passed 4 – 0.

ITEM 19: Village Preserve 2nd Addition Final Plat

City Planner Wensman presented the final plat for Village Preserve 2nd Addition and Planning Commission recommendations for approval. Street naming was discussed to address potential conflicts with the use of Laverne as a street name.

Councilmember Smith, seconded by Councilmember Fliflet, moved TO APPROVE RESOLUTION 2016-35 GRANTING APPROVAL OF THE VILLAGE PRESERVE 2ND ADDITION FINAL PLAT WITH 13 CONDITIONS BASED ON THE FINDINGS OF FACT IN THE STAFF REPORT.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO STRIKE CONDITION #8 AND REPLACE IT WITH A CONDITION STATING THAT ALL STREETS WILL COMPLY WITH THE CITY'S STREET NAMING CONVENTION POLICY. Motion passed 4 – 0.

Primary motion passed 4 – 0 as amended.

ITEM 20a: Inwood 3rd Addition Final Plat

Planning Director Wensman reviewed the plat for the Inwood 3rd Addition and the proposed conditions of approval recommended by staff and the Planning Commission. Council added condition 11 by consensus that all streets follow the City's naming convention.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2016-34 APPROVING THE FINAL PLAT FOR INWOOD 3RD ADDITION WITH THE FINDINGS IN THE STAFF REPORT AND THE ADDITION OF CONDITION 11. Motion passed 4 – 0.

ITEM 20b: Inwood 3rd Addition Developers Agreement

Planning Director Wensman reported that the Council was provided with an updated draft prior to the meeting.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION 2016-33 APPROVING THE DEVELOPERS AGREEMENT FOR INWOOD 3RD ADDITION. Motion passed 4 – 0.

COUNCIL REPORTS

Mayor Pearson: Represented the City at the St. Paul Power and Sailboat Squadron boater safety meeting, met with property owners, downtown business owners and staff, met with Cable Commission rep Ginny Holder, commented on the city's use of a parliamentarian and the censure of Councilmember Bloyer.

Councilmember Fliflet: Attended the Finance Committee meeting and very excited about the work coming from the Environmental Committee.

Councilmember Smith: Attended the Finance Committee meeting and addressed numerous resident issues.

LAKE ELMO CITY COUNCIL MINUTES
APRIL 19, 2016

Councilmember Lundgren: Attended the Environmental Committee meeting, announced Farmer's Market vendor meeting May 25th, 6:30 pm at the Library.

STAFF REPORTS AND ANNOUNCEMENTS

City Administrator Handt: Attended the Finance Committee meeting, beginning budgeting process work, attended development meetings, worked on Verizon cell tower issues, attended Parks Commission meeting, met with cable commission representatives regarding franchise renewal, addressed resident issues and reminded the Council of the Board of Appeals and Equalization meeting.

City Clerk Johnson: Reported on work on the City website, Facebook page and weekly FRESH email to help provide information to residents.

Finance Director Bendel: Sent out first quarter water bills, working on the 2016 bonding cycle.

City Attorney Sonsalla: Working on Inwood Developers Agreement, noise ordinance amendments, warning siren easement, controlled burn agreement.

Planning Director Wensman: Addressed resident concerns regarding construction, comp plan amendment, rezoning, developer interest.

City Engineer Griffin: Holding a joint open house Thursday 6:30 pm – 8:30 pm at Christ Lutheran Church, preconstruction meetings and continuing erosion control enforcement.

Parliamentarian Wendt: Stated he is happy to take questions from the public about his work and encouraged the public to contact him.

Meeting adjourned at 9:25 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk