

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
NOVEMBER 15, 2016**

**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, Julie Fliflet and Anne Smith,. **Absent:** Councilmember Jill Lundgren.

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

**APPROVAL OF AGENDA**

Item 23, “Accept Resignation of Administrative Assistant,” Item 15, “Washington County 2017-2021 Draft Capital Improvement Plan – Request for Comments Approval” and Item 22, “Approve Ordering Public Works Plow Truck” were moved to the end of the Regular Agenda. Minutes of the October 18, 2016 Regular Meeting were tabled to the next meeting.

**Agenda approved as amended by unanimous consensus.**

**PUBLIC COMMENTS/INQUIRIES**

Virginia Pleban, 8245 59<sup>th</sup> Street North, commented on the future of Lake Elmo.

**PRESENTATIONS**

Mayor Pearson read a Proclamation in support of World Pancreatic Cancer Day.

**CONSENT AGENDA**

- 2. Approve Payment of Disbursements**
- 3. Accept October 2016 Financial Statements**
- 4. Accept October 2016 Assessor’s Report**
- 5. Accept October 2016 Building Department Report**
- 6. Accept October Fire Chief Report**
- 7. Accept October Public Works Director Report**
- 8. Approve Renewal of City Assessor Contract**
- 9. Approve 2017 Liquor License Renewals**
- 10. Approve Massage Therapy License Renewal**
- 11. Approve Eagle Point Boulevard Street Improvements Pay Request No. 6**
- 12. Approve Inwood Booster Station Pay Request No. 6**
- 13. Approve Inwood Water Tower (No. 4) Pay Request No. 6**
- 14. Approve Washington Co. Cooperative Agreement Pmt No. 4 – CSAH 15/CSAH 10 Intersection Improvements**
- 16. Approve Zoning Text Amendment Related to Nonconforming Uses, Buildings and Structures – *Ordinance 08-157; Resolution 2016-97***
- 17. Approve Zoning Text Amendment Related to Expirations of Variances – *Ordinance 08-158; Resolution 2016-98***
- 18. Approve Resolution Approving Master Subscriber Agreement for MN Court Data Services – *Resolution 2016-99***

19. Authorize Issuance of 2040 Comp Plan Update RFP
20. Approve Humane Society Contract Renewal
21. Approve Repairs to Public Works Barn Roof

*Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO APPROVE THE CONSENT AGENDA ITEMS 2-14 AND 16-21. MOTION PASSED 4-0.*

**ITEM 24: Canvass Election Results**

*Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO CONVENE AS THE CANVASSING BOARD. Motion passed 4 – 0.*

City Clerk Johnson presented the municipal results of the 2016 General Election, reporting the number of votes cast for each candidate in each office.

*Mayor Pearson, seconded by Councilmember Bloyer, moved TO ACCEPT THE ELECTION RESULTS ON BEHALF OF THE LAKE ELMO CANVASSING BOARD. Motion passed 4 – 0.*

*Councilmember Fliflet, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2016-101 CANVASSING THE RESULTS OF THE 2016 GENERAL ELECTION. Motion passed 4 – 0.*

**ITEM 25: Rieder Townhome Preliminary Plat Extension**

Planning Director Wensman reported that the applicant is seeking a new extension to the preliminary plat approval

Councilmember Fliflet stated she does not agree with opening phase 2 and would not support the request.

*Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2016-102 APPROVING THE PRLIMINARY PLAT EXTENSION FOR ONE YEAR, WITH OUTLINED CONDITIONS. Motion passed 3 – 1. (Fliflet – nay)*

**ITEM 26: Tahoe Response Policy**

Chief Malmquist reviewed Fire Department policy and procedures related to the Tahoe duty vehicles responding to calls. Discussion was held concerning call response and availability of fire fighters.

*Councilmember Fliflet, seconded by Councilmember Smith, moved TO DIRECT THE PUBLIC SAFETY COMMITTEE TO PLACE AN ITEM ON ITS NEXT AGENDA TO DISCUSS HOW TO INCREST RESPONSE OF THE DUTY VEHICLE. Motion failed 2 – 2. (Pearson, Bloyer – nay)*

**ITEM 27: Snow Plow Policy**

Public Works Director Weldon reviewed the proposed policy for snow plowing and ice control. Councilmember Fliflet expressed concerns regarding the winter parking rules proposed in the policy.

***Councilmember Bloyer, seconded by Mayor Pearson, moved TO APPROVE THE SNOW PLOWING AND ICE CONTROL POLICY. Motion failed 2 – 2. (Fliflet, Smith – nay)***

**ITEM 28: Sign Variance – 4201 Manning Avenue**

Planning Director Wensman reviewed the request for a sign variance for the Holiday store at the intersection of Highway 5 and Manning Avenue. Wensman reported that there was no comment at the public hearing and the Planning Commission recommended approval unanimously. Councilmember Bloyer stated an objection to the variance process and stated there are too many rules in the rural areas.

*(Councilmember Lundgren arrived at approximately 8:08 p.m.)*

***Mayor Pearson, seconded by Councilmember Smith, moved TO APPROVE RESOLUTION 2016-100 APPROVING A VARIANCE TO THE MAXIMUM SURFACE AREA REQUIREMENTS OF WALL AND CANOPY SIGNS FOR THE PROPERTY LOCATED AT 4201 MANNING AVENUE NORTH, SUBJECT TO THE CONDITIONS OF APPROVAL. Motion passed 4 – 1. (Bloyer – nay)***

**ITEM 29: Old Village Phase 3 Street & Utility Improvements – Approve Feasibility Report and Order Public Hearing**

City Engineer Griffin reviewed the areas to be included in the project, noting areas included in response to petitions from the property owners. Griffin reviewed recommendations, assessment methodology, estimated costs for the proposed improvements, proposed assessment roll and project schedule.

***Councilmember Smith, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2016-96, RECEIVING THE FEASIBILITY REPORT AND CALLING HEARING FOR THE OLD VILLAGE PHASE 3 STREET AND UTILITY IMPROVEMENTS. Motion passed 5 – 0.***

**ITEM 23: Accept Resignation of Administrative Assistant**

***Councilmember Smith, seconded by Councilmember Lundgren, moved TO REMOVE ITEM 23 FROM THE AGENDA AND IMMEDIATELY POST THE POSITION OPENING. Motion passed 3 – 2. (Pearson, Bloyer – nay)***

**ITEM 15: Washington County Cooperative Agreement Payment No. 4 – CSAH 15/CSAH 10 Intersection Improvements**

Discussion held regarding trail connections to schools. Councilmembers directed the Administrator to add a specific reference to the Lake Elmo Regional Trail.

*Councilmember Fliflet, seconded by Councilmember Smith, moved TO ADD #3 TO COMMENTS THAT THE CITY OF LAKE ELMO WOULD VIEW TRAILS TO OUR SCHOOLS AS A HIGH PRIORITY ALONG COUNTY ROUTES. Motion passed 5 – 0.*

**ITEM 22: Approve Ordering Public Works Plow Truck**

Public Works Director Weldon reported that the purchase has been reviewed by the Finance Committee. Weldon also noted that the build time is approximately 10 months and ordering the truck soon would ensure delivery before winter next year.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE PURCHASE OF A 2017 MACK SINGLE AXLE CHASSIS AND TOWMASTER SNOW EQUIPMENT AS INDICATED IN 2017 CIP FOR AN AMOUNT NOT TO EXCEED \$230,000. Motion passed 5 – 0.*

**COUNCIL REPORTS**

**Mayor Pearson:** Assisted a resident with construction issues related to the downtown project.

**Councilmember Fliflet:** No report.

**Councilmember Smith:** No report.

**Councilmember Lundgren:** Congratulated Councilmember Bloyer, Councilmember-Elect Nelson and Mayor Pearson on their election.

**Councilmember Bloyer:** No report.

**STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** Reported on the upcoming Council workshop.

**City Clerk Johnson:** Reported on voter turnout and stated that the election ran very smoothly at both precincts.

**Finance Director Bendel:** Reported on special assessment notices, year end work and auditors.

**City Attorney Sonsalla:** Working on outstanding issues on the Wildflower 2<sup>nd</sup> Addition plat.

**Planning Director Wensman:** No report.

**City Engineer Griffin:** No report.

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**CLOSED SESSION**

*Mayor Pearson, seconded by Councilmember Bloyer, moved TO ENTER CLOSED SESSION PURSUANT TO MINNESOTA STATUTES SECTION 13.05, SUBD 3(a). Motion passes 5 – 0.*

Open session reconvened; Mayor Pearson stated that the Council conducted a review of the City Administrator's performance during the closed session.

Meeting adjourned at 11:08 pm.

**LAKE ELMO CITY COUNCIL**

ATTEST:

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Mike Pearson, Mayor

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Julie Johnson, City Clerk