

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JANUARY 16, 2018**

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, Jill Lundgren and Christine Nelson. **ABSENT:** Councilmember Julie Fliflet.

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

APPROVAL OF AGENDA

Item 3, “Approve Payment of Disbursements and Payroll” was moved to the Regular Agenda.

Councilmember Nelson seconded by Mayor Pearson, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5 – 0.

ACCEPT MINUTES

Minutes of the December 19, 2017 and January 2, 2018 Special Meetings and December 19, 2017 Regular Meeting were accepted as presented. Minutes of the January 2, 2018 Regular Meeting were accepted as amended.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

Mayor Pearson read a proclamation regarding the 2018 Kindness Campaign promoting random acts of kindness.

CONSENT AGENDA

4. Accept December 2017 Assessor’s Report
5. Accept December 2017 Public Works Department Report
6. Accept December 2017 Building Department Report

7. Accept December 2017 Fire Department Report
8. Approve Community Room Use Agreement for Lake Elmo Library
9. CSAH13 (Ideal Avenue/Olson Lake Trail) – Approve Cooperative Agreement Payment No. 4.
10. Approve Private Development Security Reductions – Southwind; Easton Village 1st; Savona 3rd & 4th.
11. Boulder Ponds 1st Addition – Accept Improvements.
12. Traffic Signal Maintenance Agreements – Approve Cooperative Maintenance Agreements for Traffic Signal Systems at CSAH15 and CSAH10; and at CSAH15 and CSAH14 –*Resolution 2018-005*
13. Approve Contract for Landscape Architecture Services
14. Approve Revised 2018 Regular Meetings Calendar
15. Approve Therapeutic Massage Premises Permit – Boon Massage and Wellness Center, 11200 Stillwater Blvd. Suite 102
16. Approve Fire Department Training Contract with Dakota County Technical College

Consent Agenda accepted by unanimous consensus.

ITEM 3: Approve Payment of Disbursements and Payroll

Brief discussion held regarding the purchase of bottled water. **Payment of disbursements and payroll approved by unanimous consensus.**

ITEM 17: Wyndham Village Subdivision Sketch Plan Review & Comprehensive Plan Amendment

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO TABLE ITEM 17. Motion passed 4 – 0.

ITEM 18: Legacy at North Star Preliminary Plat and PUD Plans

Planning Director Becker presented details of the proposal for a new single family residential development of 276 lots on 98.93 acres. The PUD and preliminary plat requests were also reviewed along with recommended condition of approval.

Discussion was held concerning trails and a potential connection to the Hamlet on Sunfish Lake neighborhood. Mark Skeie spoke on behalf of the Hamlet HOA, commenting on the trail to the lake access area and buffers between Hamlet and the proposed development.

Neil Kruger, 4452 Lake Elmo Avenue, commented on affordable housing.

Tom Laier, 3899 Kindred Way, commented on public use of the dock in the Hamlet neighborhood.

Craig Allen of GWSA commented on the proposed buffers.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPROVE THE LEGACY AT NORTH STAR PRELIMINARY PLAT AND PUD PLANS WITH 25 CONDITIONS OF APPROVAL.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION TO STRIKE LANGUAGE IN CONDITION 7 TO STATE THAT THE APPLICANT WILL PROVIDE A TRAIL CONNECTION TO HAMLET ON SUNFISH LAKE AND WILL NOT RECEIVE PARKLAND DEDICATION CREDIT FOR THE TRAIL. Motion passed 3 – 1. (Pearson – nay)

Councilmember Nelson, seconded by Councilmember Bloyer, moved TO AMEND THE PRIMARY MOTION TO REVISE CONDITION 10 TO STATE THAT THE APPLICANT WILL PROVIDE A BUFFER DEEMED ADEQUATE BY THE CITY WITH SUFFICIENT LANDSCAPING OR BERMING WITHIN RESIDENTIAL LOTS PROTECTED BY A LANDSCAPE EASEMENT AND APPROVED BY THE CITY. Motion passed 3 – 1. (Lundgren – nay) Council expressed consensus that portions of the buffer are anticipated to be 50 feet.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION BY STRIKING CONDITION 13 REQUIRING DEVELOPER TO DEDICATE PARKLAND WITHOUT RECEIVING PARKLAND DEDICATION CREDIT. Motion passed 4 – 0.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION BY STRIKING CONDITION 19 REQUIRING FENCING AROUND STORMWATER PONDING. Motion failed 1 – 3. (Pearson, Lundgren, Nelson – nay)

Mayor Pearson, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION TO AMEND CONDITION 25 TO STATE THAT THE DEVELOPER WILL PROVIDE A TRAIL EASEMENT THE LENGTH OF THE STORMWATER PIPE ALONG LAKE ELMO AVENUE AND GRADE THE AREA FOR A FUTURE BITUMINOUS TRAIL. Motion passed 4 – 0.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO DIRECT STAFF TO PREPARE A RESOLUTION FOR APPROVAL OF PRELIMINARY PLAT AND PUD WITH CONDITIONS STATED IN THE CURRENT COUNCIL PACKET AS AMENDED BY THE CITY COUNCIL. Motion passed 4 – 0.

Primary motion as amended passed 4 – 0.

ITEM 19: Interim Ordinance for Comprehensive Plan Amendment Moratorium

Planning Director Becker provided an overview of the proposed ordinance.

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO OPEN THE PUBLIC HEARING. Motion passed 4 – 0.

Craig Allen, GWSA, relayed concerns expressed by a landowner.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO CLOSE THE PUBLIC HEARING. Motion passed 4 – 0.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT ORDINANCE 08-195 DECLARING A MORATORIUM FOR A ONE YEAR PERIOD ON 2030 COMPREHENSIVE PLAN AMENDMENTS. Motion passed 4 – 0.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2018-007 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-195. Motion passed 4 – 0.

ITEM 20: Assessor Services

Administrator Handt reviewed proposals for assessor services.

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO DIRECT STAFF TO PREPARE A CONTRACT FOR ASSESSING SERVICES WITH CHASE PELOQUIN. Motion passed 4 – 0.

ITEM 21: Purchase Agreement for 3880 Laverne Ave. N.

Administrator Handt provided an update on the potential offer to purchase 3880 Laverne Avenue North and reviewed proposed terms of the draft purchase agreement prepared by the City Attorney. Financing was discussed with Finance Director Swanson recommending that the City use the EDA to issue bonds to finance the purchase.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPROVE THE PURCHASE AGREEMENT FOR 3880 LAVERNE AVE. N., APPROVE \$3,300 FOR CEG TO COMPLETE A PROPERTY CONDITIONS ASSESSMENT AND PHASE 1 ENVIRONMENTAL ASSESSMENT, DIRECT STAFF TO BEGIN SECURING FINANCING VIA THE EDA USING HRA POWERS AND AUTHORIZE THE CITY ADMINISTRATOR TO CONTRACT A FIT ANALYSIS. Motion passed 4 – 0.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Announced an open house February 15th from 6:00 p.m. to 8:00 p.m. for public input on the space needs study.

City Attorney Sonsalla: Working on the 3880 Laverne purchase agreement and other issues

City Engineer Griffin: Working on the CSAH 15 realignment and Hudson Blvd. project.

Meeting adjourned at 9:46 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk