

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
AUGUST 8, 2018**

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

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

**PRESENT:** Mayor Mike Pearson and Councilmembers Julie Fliflet, Jill Lundgren and Christine Nelson.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, City Planner Prchal, Finance Director Iverson, Assistant City Administrator Foster, Public Works Director Weldon, Fire Chief Malmquist, and City Clerk Johnson.

**APPROVAL OF AGENDA**

Item 8, “Approve Snowmobile Ordinance” and item 7, “Approve Chicken Ordinance Update” were moved to the Regular Agenda. Item 19, “Tree Preservation Ordinance Amendments” was postponed to a workshop.

*Mayor Pearson, seconded by Councilmember Fliflet moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 4 – 0.*

**ACCEPT MINUTES**

Minutes of the July 17, 2017 Special Meeting were accepted as presented.

**PUBLIC COMMENTS/INQUIRIES**

Virginia Pleban, 8245 59<sup>th</sup> Street North, encouraged the public to vote in the upcoming Primary Election.

**PRESENTATIONS**

Lake Elmo Jaycees President Mike Slobodnik and Charitable Gambling Manager Emily Goldhammer presented the City a donation of \$10,000 for purchase of replacement equipment for the Lake Elmo Fire Department.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2018-086 ACCEPTING A DONATION FROM THE LAKE ELMO JAYCEES.*

**CONSENT AGENDA**

3. Approve Payment of Disbursements and Payroll
4. Approve Resolution Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations– *Resolution 2018-085*
5. Approve Sales Agreement with Revize Web Services for New Website and Hosting Services
6. Accept 2<sup>nd</sup> Quarter Financials
7. ~~Approve Chicken Ordinance Update – *Ordinance 08-216; Resolution 2018-087*~~
8. ~~Approve Snowmobile Ordinance – *Ordinance 08-217; Resolution 2018-088*~~
9. Approve Sunfish Lake Park Ski Trail Grant – *Resolution 2018-089*
10. Approve Purchase of Hockey Boards for Lions Park
11. Approve Boulder Ponds 3<sup>rd</sup> Addition Developer Agreement – *Resolution 2018-093*

***Councilmember Lundgren, seconded by Councilmember Nelson, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.***

**ITEM 12: Wellhead Protection Plan Part 2**

Public Works Director Weldon provided a brief overview of the Wellhead Protection Plan.

***Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE THE WELLHEAD PROTECTION PLAN PART 2. Motion passed 4 – 0.***

**ITEM 13: Presentation and Acceptance of 2017 Comprehensive Annual Financial Report**

Jason Miller, Smith Schafer and Associates, presented a report on the 2017 Audit and 2017 CAFR.

**ITEM 14: Purchase of Generator and Updates to Tower 1**

Public Works Director Weldon presented information regarding purchase of a generator for well #2 and installation of a hydrant and gate valves at water tower #1 to allow tower #1 to be able to be put back into service after the shut down of well #1.

***Councilmember Lundgren, seconded by Councilmember Fliflet, MOVED TO APPROVE THE PURCHASE OF GENERATOR THROUGH MIDWEST ELECTRIC AND GENERATOR AND INSTALLATION OF HYDRANT AND GATE VALVES BY CAPRA’S UTILITIES FOR AN AMOUNT NOT TO EXCEED \$68,000 WITH FULL REIMBURSEMENT PROVIDED BY MINNESOTA POLLUTION CONTROL AGENCY. Motion passed 4 – 0.***

**ITEM 15: Demontreville Park Improvements**

Public Works Director Weldon presented quotes for proposed improvements to the baseball field at Demontreville Park. Discussion was held concerning potential contributions from Mahtomedi Baseball for the improvements. Weldon indicated that he had not received interest in cost participation from Mahtomedi Baseball.

***Councilmember Lundgren moved TO APPROVE AND AWARD QUOTE FOR DEMONTREVILLE PARK BASEBALL FIELD IMPROVEMENTS TO PEMBER COMPANIES FOR AN AMOUNT NOT TO EXCEED \$70,000. Motion died – no second.***

**ITEM 16: Legacy at Northstar 1<sup>st</sup> Addition Final Plat**

City Planner Prchal presented the proposal for approval of the final plat for the proposed Legacy at North Star development. Planner Prchal also reviewed engineering comments, proposed conditions of approval and Planning Commission comments.

Josh Peltier, 4017 Kirkwood Lane N., expressed concerns regarding perimeter buffers.

Joe Chavez, 3505 Kelvin Ave. N., expressed concern about buffers on future development.

Zak Edstrom, 4155 Kirkwood Lane N., asked for reconsideration of the buffers and expressed concern regarding the development process.

Rande Gosso, 4132 Kirkwood Lane N., commented on the development process.

Richard Mathis, 4265 Kirkwood Lane N., expressed support for his neighbors.

Tim Narum, 3960 Kindred Way, stated that his neighborhood needs to connect to the city sewer system and the proposed development will bring the sewer lines to them so they are hoping to start the process soon.

***Mayor Pearson moved TO TABLE THE CURRENT ITEM TO THE NEXT MEETING. Motion died – no second.***

***Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO ADOPT ORD. 08-218 APPROVING THE REQUEST FOR A ZONING MAP AMENDMENT TO REZONE PID#S 11.029.21.43.0001 AND 11.029.21.44.0001 AS SHOWN ON THE LOT LINE ADJUSTMENT EXHIBIT DATED APRIL 20, 2018. Motion passed 4 – 0.***

***Mayor Pearson, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2018-090 APPROVING THE LEGACY AT NORTH STAR 1ST ADDITION FINAL PLAT AND PUD PLANS WITH RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL.***

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO ADD A CONDITION STATING THAT ALL SIGNIFICANT TREES REMOVED BY THE APPLICANT WILL BE REPLACED IN ACCORDANCE WITH THE LANDSCAPING PLANS. Motion passed 4 – 0.*

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO ADD A CONDITION REQUIRING A 100 FOOT MINIMUM LOT LINE BUFFER FROM THE ADJACENT DEVELOPMENT TO PRESERVE THE GREEN BELT CORRIDOR. Motion failed 2 – 2. (Pearson, Nelson – nay)*

**Primary motion failed 2 – 2. (Fliflet, Lundgren – nay)**

City Attorney Sonsalla noted that the plat will automatically be approved after 60 days per state statute as preliminary approval has already been issued.

**ITEM 17: Legacy at Northstar 1<sup>st</sup> Addition Developers Agreement**

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

**ITEM 18: Home Occupation Ordinance Amendments**

City Planner Prchal presented the proposed amendments to the home occupation ordinance to add standards to the code.

*Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO ADOPT ORDINANCE 08-219 WHICH ESTABLISHES REGULATORY LANGUAGE FOR HOME OCCUPATIONS. Motion passed 4 – 0.*

*Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO ADOPT RESOLUTION 2018-091 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-219. Motion passed 4 – 0.*

**ITEM 7: Chicken Ordinance Update**

*Councilmember Nelson, seconded by Mayor Pearson, moved TO POSTPONE ITEM 7. Motion passed 4 – 0.*

**ITEM 8: Snowmobile Ordinance Update**

City Planner Prchal provided a brief overview of the proposed updates to the snowmobile ordinance.

*Councilmember Lundgren, seconded by Mayor Pearson, moved TO ADOPT ORDINANCE 08-217. Motion passed 3 – 1. (Fliflet – nay)*

*Councilmember Lundgren, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2018-088 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-217. Motion passed 4 – 0.*

**COUNCIL REPORTS**

**Mayor Pearson:** No report

**Councilmember Nelson:** Commended organizers and businesses on a successful National Night Out event. Thanked resident Molly Brendemoen for her hard work fundraising for purchase of equipment for the inclusive playground at Lake Elmo Elementary.

**Councilmember Lundgren:** Announced K-9 demonstration at the upcoming Farmer’s Market and commented on the success of the National Night Out event.

**Councilmember Fliflet:** Received many positive comments on the National Night Out event.

**STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** Reminded the public that there is no City Council workshop on the 14<sup>th</sup>.

**City Clerk Johnson:** Provided an update on election events.

**City Attorney Sonsalla:** Met with representatives from LMCIT and working on development projects.

**City Engineer Griffin:** Working on city, county and developer construction projects

Meeting adjourned at 9:15 pm.

**LAKE ELMO CITY COUNCIL**

ATTEST:

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Mike Pearson, Mayor

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Julie Johnson, City Clerk