

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
OCTOBER 1, 2019**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Mike Pearson and Councilmembers Dale Dorschner, Lisa McGinn and Christine Nelson. **ABSENT:** Councilmember Justin Bloyer.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Isakson, Planning Director Roberts, City Planner Prchal and City Clerk Johnson

APPROVAL OF AGENDA

“Approve Resolution Designating the Stillwater Gazette as the City’s Official Newspaper” was added as Item 22 and Item 9, “Approve Fire Department Audit Contract” was moved to the Regular Agenda.

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

ACCEPT MINUTES

Minutes of the September 17, 2019 Regular Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

Susan Dunn, 11018 Upper 33rd St. N., announced an upcoming event hosted by Congresswoman Betty McCollum and the annual port and sauerkraut dinner at Christ Lutheran Church. Ms. Dunn also commented on the history of mountain biking at Sunfish Lake Park.

Kathy Weeks, 3647 Lake Elmo Avenue, commented on the 2040 Comprehensive Plan process.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Accept Resignation of Firefighter Alex Hilpisch
4. Approve Promotion of Firefighter Jeremey Penman to Lieutenant

5. Approve Change Order No. 2 for Test Well #5
6. Approve Security Reduction: Northport 2nd Addition
7. Approve Final Plat Recording Time Extension Request (Wyndham Village)
8. Approve Purchase of Building Department Vehicle
- ~~9. Approve Fire Department Audit Contract~~
10. Approve Conditional Job Offers to Paid on Call Firefighters Christianson, Awoyinka and Krenz
11. Accept Resignation of Paid on Call Firefighter Dominic Jara
12. Approve Gustafson Settlement Agreement
13. Approve Security Reduction - Boulder Ponds 2nd Addition Landscaping Improvements & Redact Previous Approval

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 4 - 0.

ITEM 14: 2019A Bon Issuance Authorization

Tammy Omdahl, Northland Securities, reported on the bids received and the City's rating from Mooty's.

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO APPROVE RESOLUTION NO. 2019-070 A RESOLUTION AWARDDING THE DALE OF \$4,060,000 GENERAL OBLIGATION BONDS, SERIES 2019A FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT. Motion passed 4 – 0.

ITEM 15: Variance Requests – 8126 Hill Trail

City Planner Prchal presented the request from the homeowner at 8126 Hill Trail for multiple variances to allow construction of a new home on Lake Demontreville.

Mayor Pearson, seconded by Councilmember McGinn, moved TO APPROVE THE REQUEST FROM TIM AND LACEY MERCIL FOR VARIANCES TO CONSTRUCT A NEW HOME ON THE PROPERTY LOCATED AT 8126 HILL TRAIL (09.029.21.22.0008). THE VARIANCES ARE FOR: MINIMUM STRUCTURE SETBACK REQUIREMENT FROM THE OHWL, MINIMUM STRUCTURE SETBACK FROM THE TOP OF BLUFF, MAXIMUM IMPERVIOUS SURFACE, MINIMUM SEPTIC AREA, AND MINIMUM LOT SIZE; AND SHALL BE SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO AMEND THE PRIMARY MOTION BY STRIKING CONDITION #4 OF THE APPROVAL AND ADDING

“THE HOMES GUTTERS SHALL DIRECT RUN OFF AWAY FROM THE LAKE OR TO A RAIN GARDEN”. Motion passed 4 – 0.

Primary motion passed 4 – 0.

ITEM 16: Union Park First Addition – Easement Vacations and Final Plat

Planning Director Roberts reviewed proposed final plat and easement vacations for the Union Park townhome development. Paul Heuer, Pulte Homes, was present for questions.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO APPROVE THE REQUEST FOR THE VACATION OF THE TWO DRAINAGE AND UTILITY EASEMENTS ON THE SITE OF THE UNION PARK FINAL PLAT AS SHOWN ON THE DRAINAGE AND UTILITY EASEMENT VACATION EXHIBITS DATED 1-3-19 AND 1-17-19. Motion passed 4 – 0.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO APPROVE THE UNION PARK FIRST ADDITON FINAL PLAT WITH RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL AS LISTED IN THE STAFF REPORT.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO AMEND THE PRIMARY MOTION BY EXTENDING THE TIME PERIOD FOR RECORDING THE FINAL PLAT TO 180 DAYS. Motion passed 4 – 0.

Primary motion passed 4 – 0.

ITEM 17: Union Park First Addition – Development Agreement

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO ADOPT RESOLUTION 2019-064 APPROVING THE DEVELOPER’S AGREEMENT FOR THE UNION PARK FIRST ADDITION. Motion passed 4 – 0.

ITEM 18: Springs at Lake Elmo Final Plat and PUD

Planning Director Roberts presented the proposed final plat and PUD, noting changes made to the preliminary plans and stated that issues such as drainage are currently being worked through with the applicant. Gwen Wheeler spoke on behalf of the applicant, Continental Properties, asking the Council to consider changes to the conditions of approval.

Councilmember Nelson, seconded by Councilmember McGinn, moved TO ADOPT RESOLUTION 2019 -072 APPROVING THE FINAL PLAT AND FINAL PUD PLANS AS REQUESTED BY CONTINENTAL 483 FUND LLC FOR PID# 34.029.21.43.0003 FOR THE PROJECT TO BE KNOWN AS THE SPRINGS APARTMENTS OF LAKE ELMO

LOCATED ON THE NORTH SIDE OF HUDSON BOULEVARD, SUBJECT TO RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL AS LISTED IN THE STAFF REPORT, WITH THE FOLLOWING AMENDMENTS TO THE CONDITIONS OF APPROVAL: STRIKING #17, STRIKING “INCLUDING CLUBHOUSE” IN #12, AND CHANGING “120” TO “180” IN #33 AND #34. Motion passed 4 – 0.

ITEM 19: Concept PUD Plan Review – Applewood Pointe Senior Housing

Planning Director Roberts reviewed the concept plan for a senior housing development on Hudson Boulevard, noting that the plan would require a Comprehensive Plan amendment to rezone the parcel from the current business park designation. Alex Hall, United Properties, spoke on behalf of the applicant, explaining the challenges of the site and an overview of Applewood Pointe properties in the Twin Cities area.

Councilmember McGinn, seconded by Councilmember Nelson, MOVED TO ADOPT RESOLUTION 2019 – 073 APPROVING THE PUD CONCEPT PLAN AS REQUESTED BY JENNIFER MASON (OF UNITED PROPERTIES) FOR PID# 33.029.21.44.0009 FOR THE PROJECT TO BE KNOWN AS APPLEWOOD POINTE SENIOR LIVING LOCATED ON THE SOUTHEAST CORNER OF EAGLE POINTE BOULEVARD AND HUDSON BOULEVARD SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL AS OUTLINED IN THE STAFF REPORT. Motion passed 3 – 1. (Dorschner – nay)

ITEM 20: MPCA Grant Agreement for Water Main Extension to Stonegate

City Administrator Handt reviewed the proposed grant for the Stonegate neighborhood water main, scope of the project, possible financing sources and grant amount.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO APPROVE THE STONEGATE GRANT AGREEMENT #165899 WITH MPCA. Motion passed 4 – 0.

ITEM 21: MPCA Grant Agreement for Water Main Extension to 31st Street

City Administrator Handt reviewed the proposed grant for the 31st Street North area water main, scope of the project and funding.

Councilmember Dorschner, seconded by Councilmember McGinn, moved TO APPROVE THE 31ST STREET GRANT AGREEMENT #165902 WITH MPCA. Motion passed 4 – 0.

ITEM 9: Approve Fire Department Audit Contract

City Administrator Handt reviewed bids received for the Fire Department Audit and staff recommendations.

Mayor Pearson, seconded by Councilmember McGinn, moved TO TABLE TO THE NOVEMBER 5TH MEETING. Motion passed 4 – 0.

ITEM 22: Resolution Designating Stillwater Gazette as the City’s Official Newspaper

City Administrator Handt stated that the City received notice from Lillie Newspapers that it would no longer be publishing the Lake Elmo/Oakdale Review.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO ADOPT RESOLUTION 2019-074 DESIGNATING THE STILLWATER GAZETTE AS THE CITY’S OFFICIAL NEWSPAPER. Motion passed 4 – 0.

COUNCIL REPORTS

Mayor Pearson: Invited input on the deer population for future review.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: City Council Workshop on October 8th will consist of a panel presentation and discussion regarding land use planning.

Fire Chief Malmquist: New fire engine arriving soon; will be attending the state chiefs conference.

Meeting adjourned at 9:48 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk