

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
APRIL 16, 2019**

**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, Dale Dorschner, Lisa McGinn and Christine Nelson

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Roberts, Finance Director Iverson and City Clerk Johnson

**APPROVAL OF AGENDA**

Mayor Pearson added item 15, “Summary of City Administrator Review.”

*Councilmember Dorschner, seconded by Councilmember Bloyer, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5 – 0.*

**ACCEPT MINUTES**

Minutes of the April 2, 2019 Regular Meeting were accepted as presented.

**PUBLIC COMMENTS/INQUIRIES**

Tony Manzara invited the public to attend an upcoming fundraiser for the Sally Manzara Nature Center.

Susan Dunn, 11018 Upper 33<sup>rd</sup> St. N. commented on turnover on the commissions and water quality issues.

**PRESENTATIONS**

None

**CONSENT AGENDA**

2. Approve Payment of Disbursements
3. Accept March 2019 Fire Department Report
4. Approve Contract Amendment with MNSPECT – *Resolution 2019-028*
5. Approve Final Plat Time Extension – Wyndham Village

6. Approve Boulder Ponds Fourth Addition Final Plat and Agreements – *Resolution 2019-024*
7. Accept Contractor Bids and Award Contract for 2019 Mill & Overlay Project
8. Approve Investment Policy
9. Approve Detachment Request – *Resolution 2019-025*

***Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.***

**ITEM 10: Legacy at North Star 2<sup>nd</sup> Addition Final Plat and Final PUD Approval**

Planning Director Roberts reviewed proposed conditions of approval and discussed potential irrigation issues. Craig Allen spoke on behalf of the developer, commenting on the possibility of a watering ban and potential impacts on the marketability of the homes.

***Councilmember Bloyer, seconded by Councilmember McGinn, moved TO APPROVE THE LEGACY AT NORTH STAR SECOND ADDITION FINAL PLAT AND PUD PLANS WITH RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL.***

***Councilmember Bloyer, seconded by Mayor Pearson, moved TO AMEND THE PRIMARY MOTION BY REMOVING CONDITON #14. Motion failed 1 – 4. (Pearson, Dorschner, McGinn, Nelson – nay)***

Primary motion passed 5 – 0.

***Councilmember Dorschner, seconded by Councilmember McGinn, MOVED TO APPROVE THE REQUEST FOR THE VACATION OF THE DRAINAGE AND UTILITY EASEMENTS OVER OUTLOT E, OUTLOT F AND OUTLOT G, LEGACY AT NORTH STAR AS SHOWN AN THE EASEMENT VACATION EXHIBIT DATED OCTOBER 31, 2018. Motion passed 5 – 0.***

**ITEM 11: Legacy at North Star 2<sup>nd</sup> Addition Development Agreement**

Planning Director Roberts reviewed updates made to the proposed Development Agreement and recommended approval.

***Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE THE LEGACY AT NORTH STAR 2<sup>ND</sup> ADDITION DEVELOPMENT AGREEMENT. Motion passed 5 – 0.***

**ITEM 12: CSAH19 – Hudson Intersection Improvements – Approve Plans & Specifications; Authorize Ad for Bids**

City Engineer Griffin reviewed the design of the improved intersection, drainage plans and other possible future improvements. Griffin also reviewed projected costs and cost sharing, and the anticipated timeline.

*Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE RESOLUTION NO. 2019-030, APPROVING THE PLANS AND SPECIFICATIONS AND ORDERING THE ADVERTISEMENT FOR BIDS FOR THE CSAH-19 AND HUDSON BOULEVARD INTERSECTION IMPROVEMENTS. Motion passed 4 – 1. (Bloyer - nay)*

*Mayor Pearson, seconded by Councilmember Nelson, Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE RESOLUTION NO. 2019-031, REQUESTING AN ADVANCE FOR THE MUNICIPAL STATE AID STREET FUNDS FOR THE CSAH-19 AND HUDSON BOULEVARD INTERSECTION IMPROVEMENTS. Motion passed 4 – 1. (Bloyer – nay)*

**ITEM 13: Approve Memorandum of Understanding for the Downtown Regional Stormwater Facility**

City Engineer Griffin presented follow up information on the downtown stormwater system constructed in 2015. Griffin reviewed the operation of the system and explained that excess capacity is available.

*Councilmember Nelson, seconded by Councilmember Dorschner, moved TO APPROVE RESOLUTION NO. 2019-030, APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE VALLEY BRANCH WATERSHED DISTRICT TO REGULATE THE USE OF THE EXCESS STORMWATER RATE AND VOLUME CAPACITY OF THE DOWNTOWN REGIONAL INFILTRATION BASIN, AND ESTABLISHING THE DOWNTOWN REGIONAL STORMWATER DISTRICT CONNECTION CHARGE IN THE AMOUNT OF \$1.40 PER SQUARE FOOT AND A REGIONAL INFILTRATION BASIN VOLUME CONTROL USE CHARGE IN THE AMOUNT OF \$0.70 PER SQUARE FOOT. Motion passed 5 – 0.*

**ITEM 14: Investment Portfolio and City Checking Account**

Finance Director Iverson presented proposed updates to the investment policy. Discussion was held concerning changes to accounts with Lake Elmo Bank.

*Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE THE PROPOSED INVESTMENT POLICY UNLESS AN EQUAL OR MORE FAVORABLE RATE CAN BE SECURED WITH LAKE ELMO BANK WITHIN 30 DAYS.*

*Councilmember Nelson, seconded by Councilmember Dorschner, moved TO TABLE THE CURRENT ITEM FOR 30 DAYS. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – nay)*

Primary motion passed 5 – 0.

**ITEM 15: City Administrator Review**

Mayor Pearson reported that a routine review of the City Administrator's performance was conducted prior to the City Council meeting.

**STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** reported on watershed grants and upcoming Board of Appeal meeting on April 24<sup>th</sup>.

**Planning Director Roberts:** working on comp plan updates and preliminary application from Springs Apartments.

Meeting adjourned at 8:54 pm.

**LAKE ELMO CITY COUNCIL**

ATTEST:

\_\_\_\_\_  
Mike Pearson, Mayor

\_\_\_\_\_  
Julie Johnson, City Clerk