

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
DECEMBER 17, 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, City Planner Prchal, Public Works Director Powers, Finance Director Iverson and City Clerk Johnson.

APPROVAL OF AGENDA

Item 33, “Minor Subdivision – DPS Lake Elmo” was moved to the Consent Agenda.

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

ACCEPT MINUTES

Minutes of the November 19, 2019 Regular Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

Mayor Pearson presented Jamie Colemer with a ten year service recognition award.

CONSENT AGENDA

3. Approve Payment of Disbursements
4. Accept November 2019 Building Department Report
5. Accept November 2019 Public Works Department Report
6. Approve 2020 Pay Scale
7. Approve 2020 Regular Meeting Schedule
8. Approve Step Increase for Deputy Clerk
9. Approve Step Increase for Permit Technician
10. Approve Step Increase for Building Official

11. Approve Purchase of SCBA Equipment
12. Approve Lease Amendment with Rocco's Pizza
13. Accept Improvements and Approve Security Reduction for the Southwind at Lake Elmo
14. Approve Landscaping Security Reductions for Savona 1st – 3rd Additions
15. Approve Pay Request No. 6 for the CSAH19-Hudson Boulevard Intersection Improvements
16. Approve Change Order No. 3 for the CSAH19-Hudson Boulevard Intersection Improvements
17. Approve Geotechnical Investigation Proposal for Proposed 2020 Construction Projects
18. Approve Amendment to Sally Manzara Lease Agreement – *Resolution 2019-094*
19. Authorize Certification of Delinquent Utility Bills – *Resolution 2019-095*
20. Accept Improvements and Approve Security Reduction for Inwood PUD 3rd Addition
21. Approve Release of Utility and Warranty Security for Inwood PUD 4th Addition and Wildflower 2nd Addition
22. Accept Improvements and Approve Security Reduction for Royal Golf Club 2nd Addition
23. Approve Development Agreement – Springs of Lake Elmo (Hudson Blvd and Julia Avenue) – *Resolution 2019-096*
24. Approve Release of Escrow – Wasatch Storage (9200 Hudson Boulevard)
25. Approve 2019 Mill and Overlay Compensating Change Order 4
26. Approve Plans and Specifications for Production Well #5 and Authorize Advertisement for Bids – *Resolution 2019-097*
33. Minor Subdivision - DPS Lake Elmo (property lying between Hudson Blvd and 5th Street North) - *Resolution 2019 - 100*

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

ITEM 27: Public Hearing for 2020 General Fund Budget and 2020 Final Property Levy Certification

Finance Director Iverson presented the proposed 2020 budget and levy information.

Councilmember Dorschner, seconded by Mayor Pearson, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.

No comments were received at the Public Hearing.

Councilmember Dorschner, seconded by Mayor Pearson, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO ADOPT RESOLUTION 2019-090 ADOPTING THE 2019 TAX LEVY COLLECTIBLE IN 2020 AND ADOPTING THE 2020 GENERAL FUND AND EDA BUDGETS. Motion passed 5 – 0.

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO ADOPT RESOLUTION 2019-091 ADOPTION THE 2020 WATER, SEWER AND STORM WATER FUND BUDGETS. Motion passed 4 – 1. (Bloyer – nay)

ITEM 28: Public Improvement Hearing; Approve Resolution Ordering the Improvement and the Preparation of Plans and Specifications for the Stonegate Addition Street and Utility Improvements

City Engineer Griffin presented the proposed project scope, details on improvements, and cost estimates with assessment information.

Councilmember Dorschner, seconded by Councilmember Nelson, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.

Curt Monteith, 331 Julep Avenue North, objected to the assessment amount and requested that the City assess all property owners equally and issue credits to the property owners in the first addition of Stonegate for previous work done.

Councilmember Bloyer, seconded by Councilmember McGinn, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.

Councilmember Dorschner, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2019-098 ORDERING THE STONEGATE ADDITION STREET AND UTILTIY IMPROVEMENTS AND THE PREPARATION OF PLANS AND SPECIFICATIONS AS OUTLINED IN THE FEASIBILITY REPORT APPROVED ON NOVEMBER 19, 2019. Motion passed 5 – 0.

ITEM 29: Four Corners Development

City Administrator Handt provided an update on the current status of the public improvement portion of the project.

Peter Coyle, attorney for the developer, stated that he was retained earlier in the day and requested that the Council not take action at the present time to give him more time to work with the developer on options.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO DIRECT STAFF TO PROVIDE NOTICE OF DEFAULT TO THE DEVELOPER AND PROCEED WITH PREPARING FOUR CORNERS 1ST ADDITION TO BE COMPLETED BY THE CITY UTILITIZING THE DEVELOPER'S LETTER OF CREDIT AND AUTHORITY IN THE

DEVELOPMENT AGREEMENT TO RECOVER THE COSTS IN EXCESS OF THE LETTER OF CREDIT.

Councilmember Dorschner, seconded by Councilmember McGinn, moved TO TABLE THE CURRENT AGENDA ITEM. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – Nay)

Primary motion failed 2 – 3. (Pearson, Dorschner, McGinn – Nay)

ITEM 30: Conditional Use Permit Amendment – Stillwater School Bus Facility

City Planner Prchal presented the request for a time extension related to connection to City water and sewer.

Kristin Hoheisel spoke on behalf of the school district and requested that the Council grant the extension.

Councilmember Nelson, seconded by Councilmember Dorschner, moved TO ADOPT RESOLUTION 2019-099 APPROVING THE STILLWATER SCHOOL DISTRICT REQUEST TO AMEND CONDITION 9 OF THEIR EXISTING CONDITIONAL USE PERMIT FOR THE PROPERTY AT 11530 HUDSON BOULEVARD.

Mayor Pearson, seconded by Councilmember Dorschner, moved TO AMEND THE PRIMARY MOTION BY MOVING THE CURRENT AGENDA ITEM TO THE NEXT CITY COUNCIL MEETING AGENDA. Motion passed 5 – 0.

ITEM 31: Variance Requests – 2038 Inwood Avenue North

City Planner Prchal presented the request for a variance to allow expansion of a legal non-conforming structure.

Councilmember Bloyer, seconded by Councilmember McGinn, moved TO ADOPT RESOLUTION 2019-093 APPROVING THE VARIANCE REQUEST AND TO REQUIRE THE PROPERTY OWNER TO RELOCATE THE DRIVEWAY TO 21ST STREET. Motion passed 5 – 0.

ITEM 32: Inwood Development Park Plan Approval

City Planner Prchal presented design options for a new park in the Inwood Development and reviewed the Parks Commission recommendations.

Councilmember McGinn, seconded by Mayor Pearson, moved TO SEND THE CURRENT ITEM BACK TO THE PARKS COMMISSION WITH COMMENTS RECEIVED FROM THE PUBLIC. Motion failed 0 – 5.

Councilmember Nelson, seconded by Mayor Pearson, moved TO APPROVE THE INWOOD PARK PLAN CONSISTING OF TWO PICKLEBALL COURTS, TREE PLANTINGS, TRASH CAN AND FOUR PICNIC BENCHES.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO AMEND THE PRIMARY MOTION TO ADD THE TRAIL CONNECTIONS. Motion failed 1 – 4. (Pearson, Bloyer, Dorschner, McGinn – nay)

Primary motion passed 5 – 0.

ITEM 34: LMCIT Renewal

Assistant City Administrator Dickson reviewed the annual insurance renewal information.

Councilmember Dorschner, seconded by Councilmember Nelson, moved TO APPROVE MAINTAINING THE CURRENT \$1,000 DEDUCTIBLE FOR THE CITY'S PROPERTY AND LIABILITY INSURANCE AND TO AUTHORIZE ELECTION TO NOT WAIVE THE STATUTORY TORT LIMITS. Motion passed 4 – 1. (Bloyer – nay)

ITEM 35: 2020 Fee Schedule

Finance Director Iverson provided a brief overview of the proposed 2020 Fee Schedule.

Councilmember Nelson, seconded by Councilmember McGinn, moved TO APPROVE ORDINANCE 08-231 ADOPTING THE 2020 CITY OF LAKE ELMO FEE SCHEDULE. Motion passed 4 – 1. (Bloyer – nay)

Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2019-092 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-231. Motion passed 5 – 0.

ITEM 36: 2020 – 2024 Capital Improvement Plan

City Administrator Handt presented the final proposed Capital Improvement Plan.

Mayor Pearson, seconded by Councilmember McGinn, moved TO APPROVE THE 2020-2024 CAPITAL IMPROVEMENT PLAN. Motion passed 5 – 0.

COUNCIL REPORTS

Mayor Pearson: Thanked Jess Hartley for his service on the Planning Commission and encouraged residents to apply to serve on committees and commissions. Acknowledged Nadine Obermueller's contributions to the Lions Park project.

Councilmember McGinn: Noted that Lake Elmo Pharmacy is now open as a compounding pharmacy.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Announced openings on the City's Planning Commission, Parks Commission and EDA.

Meeting adjourned at 10:44 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk