

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
AUGUST 17, 2021**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Charles Cadenhead and Councilmembers Katrina Beckstrom, Dale Dorschner, Jeff Holtz and Lisa McGinn.

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

APPROVAL OF AGENDA

Councilmember Dorschner, seconded by Councilmember Holtz moved TO APPROVE THE AGENDA AS PRESENTED. Motion passed 5 – 0.

ACCEPT MINUTES

Councilmember McGinn, seconded by Councilmember Dorschner, moved TO ACCEPT THE MINUTES OF THE AUGUST 4, 2021 CITY COUNCIL MEETING AND AUGUST 10 CITY COUNCIL WORKSESSION AS PRESENTED. Motion passed 5 – 0.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

Mayor Cadenhead read the National Night Out Proclamation.

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Accept July 2021 Building Department Report
4. Accept July 2021 Public Works Department Report
5. Accept July 2021 Fire Department Report
6. Accept July 2021 Sheriff's Department Report
7. Approve Hire of Paid on Call Firefighters
8. Approve Pay Request No. 2 (FINAL) for the 50th Street PRV Valve & Linden Ave Storm Sewer Replacement.
9. Approve Pay Request No. 1 for Tamarack Farm Estates Street Improvements.

10. Approve Pay Request No. 1 for the 38th-39th Street Neighborhood Street and Utility Improvements.
11. Approve Pay Request No. 4 for Heritage Farms Street and Utility Improvements.
12. Approve Pay Request No. 4 for Hamlet on Sunfish Lake Street and Utility Improvements.
13. Approve Pay Request No. 8 for Well No. 5 Pumphouse Improvements.
14. Approve Compensating Change Order No. 3 for 31st Street/Stillwater Blvd Watermain Extension.
15. Approve Pay Request No. 3 (FINAL) for 31st Street/Stillwater Blvd Watermain Extension.
16. Approve East Metro Water Resource Education Program Contract
17. Approve Cooperative Agreement Between the City of Oakdale and City of Lake Elmo for Sanitary Sewer Lift Station Improvements and Approve SEH Sewer Design Services – *Resolution 2021-087, 2021-088*
18. Approve Cooperative Agreements for the CSAH13 (Ideal Avenue) Phase 2 Improvements – *Resolution 2021-093, 2021-094*
19. Authorize Preparation of Feasibility Report for 2022 Street and Utility Improvements – *Resolution 2021-089*

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

ITEM 20: Variances and Lot Division – 3100 Lake Elmo Avenue

Councilmember Dorschner excused himself from the City Council and took a seat in the audience for this agenda item due to his status as the applicant.

Planning Director Roberts presented the request for a lot division and variances from setback requirements, noting comments received from neighboring property owners, staff recommendations and proposed findings.

George Johnson, 3070 Lake Elmo Avenue, commented on the unique nature of the property and historical value of the tennis court.

Dale Dorschner, 3150 Lake Elmo Avenue, commented on the impervious surface on the property, natural conditions of the lot and the desire to acquire the lot to keep the property in the family.

Mayor Cadenhead, seconded by Councilmember Holtz, moved TO ADOPT RESOLUTION 2021 - 090, APPROVING A LOT WIDTH VARIANCE TO ALLOW FOR THE CREATION A NEW LOT (PARCEL B) THAT WOULD 112 FEET WIDE FOR THE PROPERTY LOCATED AT 3100 LAKE ELMO AVENUE, SUBJECT TO CONDITIONS OF APPROVAL

AS RECOMMENDED BY STAFF AND THE PLANNING COMMISSION. Motion passed 4 – 0. (Dorschner – absent)

Mayor Cadenhead, seconded by Councilmember McGinn, moved TO ALLOW A FRONT YARD SETBACK VARIANCE OF 20 FEET THAT WOULD ALLOW A 30 FOOT FRONT YARD SETBACK INSTEAD OF THE REQUIRED 50 FEET FOR THE PROPERTY IDENTIFIED AS PARCEL B, SOUTH OF THE PROPERTY ADDRESSED AS 3100 LAKE ELMO AVENUE WITH RECOMMENDED FINDINGS FOR DENIAL. Motion withdrawn.

Councilmember Holtz, seconded by Councilmember McGinn, moved TO ADOPT RESOLUTION 2021 - 091, DENYING A FRONT YARD SETBACK VARIANCE OF 20 FEET THAT WOULD ALLOW A 30 FOOT FRONT YARD SETBACK INSTEAD OF THE REQUIRED 50 FEET FOR THE PROPERTY IDENTIFIED AS PARCEL B, SOUTH OF THE PROPERTY ADDRESSED AS 3100 LAKE ELMO AVENUE WITH RECOMMENDED FINDINGS FOR DENIAL. Motion failed 1 – 3. (Cadenhead, Beckstrom, McGinn – nay)

Mayor Cadenhead, seconded by Councilmember Beckstrom, moved TO DIRECT STAFF TO PREPARE AN AMENDED RESOLUTION APPROVING THE FRONT YARD SETBACK VARIANCE. Motion passed 3 – 1. (Holtz – nay)

ITEM 21: Direct Access Variance – 8249 Demontreville Trail (Carmelites)

Planning Director Roberts reviewed the request for a variance to allow access to a chapel to be built on the site at 8249 Demontreville Trail. Roberts noted difficulties presented by the site location and presented staff review and recommendations.

Reverend John Burns, 8249 Demontreville Trail, commented on the lack of access to the site from a public road and noted that there is an agreement with the Jesuits for access. Reverend Burns also requested that the variance apply to the entire 90 acres and all buildings on the 1990 master plan.

Councilmember McGinn, seconded by Councilmember Holtz, moved TO ADOPT RESOLUTION 2021 - 092, APPROVING THE REQUEST FROM REV. JOHN BURNS OF THE CARMELITE HERMITAGE FOR A VARIANCE (AN EXCEPTION) FROM THE CITY'S REQUIREMENT FOR DIRECT ACCESS TO A MAJOR COLLECTOR OR ARTERIAL STREET FOR A PLACE OF WORSHIP FOR THE PROPERTY LOCATED AT 8249 DEMONTREVILLE TRAIL. THIS APPROVAL SHALL BE SUBJECT TO THE CITY ENGINEER AND FIRE CHIEF APPROVING THE FINAL DRIVEWAY CONSTRUCTION PLANS AND THE APPLICANT RECEIVING A PERMIT FROM THE VALLEY BRANCH WATERSHED DISTRICT BEFORE STARTING THE CONSTRUCTION OF THE NEW DRIVEWAY. Motion withdrawn.

Councilmember Holtz, seconded by Mayor Cadenhead, moved TO DIRECT STAFF TO REDRAFT THE RESOLUTION WITH THE VARIANCE APPLYING TO THE ENTIRE 90 ACRES AS REQUESTED. Motion passed 5 – 0.

COUNCIL REPORTS

Councilmember Beckstrom: Attended the cable commission brainstorming session and noted potential impacts to franchise fees.

Councilmember Holst: Will attend the water group meeting on August 18th at 8:00 a.m.

STAFF REPORTS AND ANNOUNCEMENTS

City Attorney Sonsalla: Reported on the Village Parkway decision and stated that MnDOT will allow a railroad crossing.

Meeting adjourned at 8:36 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Charles Cadenhead, Mayor

Julie Johnson, City Clerk