

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
SEPTEMBER 7, 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. **ABSENT:** Councilmember Lisa McGinn.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Isakson, Fire Chief Kalis, Finance Director Magureanu, Assistant Administrator Dickson, Public Works Director Powers and City Clerk Johnson

APPROVAL OF AGENDA

Councilmember Dorschner, seconded by Councilmember Holtz, moved TO APPROVE THE AGENDA AS PRESENTED. Motion passed 4 – 0.

ACCEPT MINUTES

Councilmember Dorschner requested that his comments regarding the variance request for 3100 Lake Elmo Avenue be added to the August 17, 2021 minutes.

Mayor Cadenhead, seconded by Councilmember Holtz, moved TO ACCEPT THE MINUTES OF THE AUGUST 17, 2021 CITY COUNCIL MEETING AS AMENDED. Motion passed 4 – 0.

PUBLIC COMMENTS/INQUIRIES

Amy Voelt, 9905 Tapestry Rd., requested the Council consider language that would separate bikers and pedestrians in Sunfish Lake Park for safety.

Mary Frick, 2773 Lisbon Ave. N., expressed concerns regarding safety issues in Sunfish Lake Park related to mountain bikers and commented on fairness of trail use between pedestrians and bikers.

Peter Sullivan, 10150 Tapestry Bend, stated mountain bikes should not be allowed on hiking trails.

Tony Manzarra, 5050 Kirkwood Ave. N., encouraged the City Council to limit bikes to bike trails.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Approve Special Event Permit for One Block Marathon on October 16, 2021
4. Approve Direct Access Variance – 8249 Demontreville Trail (Carmelites) – *Resolution 2021-092*
5. Approve Hire of Planning Director
6. Approve Hire of Building Official and Building Official Designation – *Resolution 2021-094*
7. Approve Pay Request #1 (FINAL) for the 2021 Crack Seal Project
8. Approve Compensating Change Order No. 1 for Hamlet on Sunfish Lake Sanitary Sewer Extension
9. Approve Pay Request No. 4 (FINAL) for Hamlet on Sunfish Lake Sanitary Sewer Extension
10. Approve Letter of Credit Reduction for Lake Elmo Senior Independent Living
11. Approve Letter of Credit Reduction for Union Park 2nd Addition
12. Authorize Task Order for Engineering Services for the Section 16 Sanitary Sewer Extension – *Resolution 2021-095*
13. Approve Revised 2021 Meeting Calendar

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

ITEM 14: Setback Variance – 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. Planner Harry Davis presented an overview of the request on behalf of the City and noted that the resolution for approval of the front yard setback has been revised per Council direction at the September 7, 2021 meeting.

Mayor Cadenhead, seconded by Councilmember Beckstrom, moved TO ADOPT RESOLUTION 2021-091 APPROVING 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 IDENTIFIED AS 3100 LAKE ELMO AVENUE, SUBJECT TO THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF. Motion passed 2 – 1. (Holtz – nay)

ITEM 15: Sunfish Lake Park Archery Hunt

Public Works Director Powers reviewed the proposed archery hunt in Sunfish Lake Park, noting that according to the DNR, the herd size is double what is desirable per square mile.

Councilmember Dorschner, seconded by Councilmember Holtz, moved TO ADOPT RESOLUTION 2021-096 APPROVING THE 2021 SUNFISH LAKE PARK DEER MANAGEMENT HUNT. Motion passed 4 – 0.

ITEM 16: Setback and Impervious Surface Variances – 7982 Hill Trail N.

Planner Harry Davis presented the request for variances at 7982 Hill Trail North to allow for an addition to the existing home. Discussion was held concerning site limitations and potential for using rain gardens for runoff.

Applicant Norm Purrington commented on the project and stated opposition to installing rain gardens due to the terrain and heavy tree cover.

Councilmember Dorschner, seconded by Mayor Cadenhead, moved TO ADOPT RESOLUTION 2021-097 APPROVING THE REQUEST FOR A VARIANCE TO THE MINIMUM SETBACK FROM THE OHWL AND TO THE MAXIMUM IMPERVIOUS SURFACE ON THE PROPERTY AT 7982 HILL TRAIN NORTH SUBJECT TO THE LISTED CONDITIONS. Motion passed 4 – 0.

ITEM 17: Zoning Code Text Amendment, Final Plat and Conditional Use Permit for Jade Trail N. (Enterprise Rent a Car Facility)

Planner Harry Davis reviewed the request for development of an Enterprise facility that would allow for auto rental and purchase. Josh Caulderon of Enterprise spoke on behalf of the applicant, noting the features of the proposed development and jobs that would be created. Discussion was held concerning the site plan and potential impacts to the neighbors.

Mayor Cadenhead, seconded by Councilmember Holtz, moved TO ADOPT ORDINANCE 08-250 APPROVING A ZONING CODE TEXT AMENDMENT THAT ADDS THE RENTAL OF VEHICLES AS A CONDITIONAL USE FOR SALES AND STORAGE LOTS IN THE COMMERCIAL ZONING DISTRICT. Motion passed 3 – 1. (Dorschner – nay)

Councilmember Holtz, seconded by Mayor Cadenhead, moved TO ADOPT RESOLUTION 2021-098 APPROVING THE PINGREE FINAL PLAT AND PUD PLANS WITH RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL AS DRAFTED BY STAFF. Motion passed 3 – 1. (Dorschner – nay)

ITEM 18: Final PUD Plan and Final Plat – Wildflower 4th Addition

Planner Harry Davis presented the application for the fourth and final phase of the Wildflower development.

Developer Bob Engstrom commented on the open space between the development and a neighboring property, the grading plan and sanitary sewer extension that could serve areas to the north in the future.

Byron Nesheim, 4036 Monarch Lane, requested a delay of approve due to the difficulties the homeowners association board has had with Mr. Engstrom.

Councilmember Dorschner, seconded by Councilmember Holtz, moved TO CONTINUE THE CURRENT AGENDA ITEM TO THE SEPTEMBER 21, 2021 CITY COUNCIL MEETING. Motion passed 4 – 0.

ITEM 19: Approve Change Order 2 for Old Village Phase 5 and 6 Street and Utility Improvements

City Engineer Isakson reviewed the proposed change order for the Old Village Phase 5 and 6 project, noting increased costs and benefits.

Councilmember Holtz, seconded by Mayor Cadenhead, moved TO APPROVE CHANGE ORDER 2 FOR THE OLD VILLAGE PHASE 5 AND 6 STREET, DRAINAGE AND UTILITY IMPROVEMENTS, THEREBY INREASING THE CONTRACT AMOUNT BY \$203,950.00, INCREASING THE TOTAL PROJECT BUDGET BY \$358,850.00 AND UPDATING MILESTONE 1 TO INCLUDE 32ND STREET FROM LAKE ELMO AVENUE TO LAMPERT AVENUE TO BE CONSTRUCTED IN 2021. Motion passed 4 – 0.

ITEM 20: Authorize Bids for New City Center and Public Works Addition

City Administrator Handt reviewed the status of the project and memo from the project consultants.

Mayor Cadenhead, seconded by Councilmember Holtz, moved TO APPROVE THE RELEASE OF THE BIDDING DOCUMENTS. Motion passed 4 – 0.

COUNCIL REPORTS

Mayor Cadenhead: reported on August EDA meeting.

Councilmember Holtz: airport work group met in August to review statistics regarding noise and operations. Noted two new hangars are being built to replace old hangars.

STAFF REPORTS AND ANNOUNCEMENTS

LAKE ELMO CITY COUNCIL MINUTES
September 7, 2021

Administrator Handt: Attending MCMA conference September 16th & 17th.

Assistant Administrator Dickson: Advertising for the City Planner position now that a Planning Director hire has been approved.

Fire Chief Kalis: Accepting applications for paid on call firefighter; noted fundraiser at Arbor Glen on September 24th.

Public Works Director Powers: Sunfish Lake Park intersection mapping is complete; repairing leak in Carriage Station neighborhood.

CLOSED SESSION

Councilmember Dorschner, seconded by Councilmember Holtz, moved TO ADJOURN TO CLOSED SESSION. Motion passed 4 – 0.

Closed session held to discuss labor union negotiations.

Mayor Cadenhead, seconded by Councilmember Beckstrom, moved TO RETURN TO OPEN SESSION. Motion passed 4 – 0.

Meeting adjourned at 10:16 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Charles Cadenhead, Mayor

Julie Johnson, City Clerk