

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
AUGUST 15, 2023**

**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, Matt Hirn, Jeff Holtz and Lisa McGinn.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Public Works Director Powers, Fire Chief Kalis and City Clerk Johnson

**APPROVAL OF AGENDA**

Item 18, “Approve Parks Plan Contractor Selection” was moved from the Consent Agenda to the Regular Agenda.

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

**ACCEPT MINUTES**

*Councilmember Holtz, seconded by Councilmember Hirn, moved TO ACCEPT THE MINUTES OF THE AUGUST 2, 2023 CITY COUNCIL MEETING AS PRESENTED. Motion passed 5 – 0.*

**PUBLIC COMMENTS/INQUIRIES**

None

**PRESENTATIONS**

None

**CONSENT AGENDA**

2. Approve Payments and Disbursements
3. Approve Revised 2023 Meeting Calendar
4. Approve Massage Therapy Premises Permit for 11200 Stillwater Blvd., Suite 101
5. Approve Fields of Arbor Glenn Warranty Security Release
6. Approve Inwood 7<sup>th</sup> Addition Final Plat Resolution Amendment; *Resolution 2023-070*
7. Accept Quotes and Award Contract for the 2023 Striping Project
8. Approve Pay Request No. 2 for Old Village Phase 7 Street and Utility Improvements

9. Approve Pay Request No. 10 for Parkview-Cardinal Neighborhood Street and Utility Improvements
10. Approve Pay Request No. 7 for Torre Pines Street and Utility Improvements
11. Approve Pay Request No. 10 for Whistling Valley Street and Utility Improvements
12. Approve Pay Request No. 6 for the Tapestry Sanitary Sewer Extension
13. Approve Pay Request No. 11 for Water Tower No. 3
14. Approve Pay Request No. 2 for 2023 Street Improvements
15. Approve Pay Request No. 1 for 2023 Trail Improvements
16. Approve Youth Service Bureau Contract
17. Approve Full Time Firefighter Hires
- ~~18. Approve Parks Plan Contractor Selection~~
19. Approve Planning Assistant Job Description Update and Authorize Posting
20. Approve Wildflower LOC Reduction
21. Approve City Center/Public Works Pay Request #19

***Councilmember McGinn, seconded by Councilmember Hirn, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.***

**ITEM 22: Final Assessment Hearing: Adopt Final Assessment Roll for 2022 Street Improvements**

City Engineer Griffin presented project costs and unit assessments for the 2022 Street Improvement project.

***Councilmember Holtz, seconded by Councilmember Hirn, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0. No comments were received.***

***Councilmember Hirn, seconded by Councilmember Holtz, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.***

***Councilmember Hirn, seconded by Councilmember Holtz, moved TO APPROVE RESOLUTION NO. 2023-081, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 2022 STREET IMPROVEMENTS. Motion passed 5 – 0.***

**ITEM 23: 8686 Hidden Bay Ct Variances**

City Planner Jensen presented the request for a variance to allow replacement of the existing septic system on the property, noting that the variance would allow the new system to be located with a reduced setback from the ordinary high water level. Planner Jensen also reviewed the recommended conditions of approval.

***Councilmember McGinn, seconded by Councilmember Hirn, MOVED TO ADOPT RESOLUTION 2023-073 APPROVING THE REQUEST, WITH CONDITIONS, FROM JEFF AND JUDY OTTO FOR A VARIANCE TO ALLOW A REDUCED SEPTIC SYSTEM SETBACK OF 38.3 FEET FROM THE ORDINARY HIGH WATER LEVEL FOR THE PROPERTY LOCATED AT 8286 HIDDEN BAY COURT. Motion passed 5 – 0.***

**ITEM 24: Call for Final Assessment Hearing for Torre Pines Street and Utility Improvements**

City Engineer Griffin reviewed the estimated total project costs, projected assessment amounts per property and provided an update on the status of other 3M expedited projects.

***Councilmember Holtz, seconded by Councilmember Hirn, moved TO APPROVE RESOLUTION NO. 2023-071; DECLARING COSTS TO BE ASSESSED AND CALLING FOR THE HEARING ON THE PROPOSED ASSESSMENT FOR THE TORRE PINES STREET AND UTILITY IMPROVEMENTS. Motion passed 5 – 0.***

**ITEM 25: Northstar 1<sup>st</sup> Addition Final Plat and PUD, Public Hearing**

Contract Planner Nathan Fuerst provided an overview of the proposed final plat and PUD for a single family home development at the intersection of Lake Elmo Avenue North and Stillwater Boulevard North. Brief discussion was held regarding potential storm water reuse.

***Councilmember Holtz, seconded by Councilmember McGinn, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.***

Mayor Cadenhead read written comments received Susan Dunn, 11018 Upper 33<sup>rd</sup> St. N. expressing concerns for health, safety and welfare of residents with continuing growth of the city.

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

***Councilmember McGinn, seconded by Councilmember Beckstrom, moved TO ADOPT RESOLUTION 2023-074 APPROVING THE FINAL PLAT AND PUD, REQUESTED BY GWSA LAND DEVELOPMENT, LLC ( FOR THE SUBJECT PROPERTY BASED ON THE FINDINGS OF FACT AND RECOMMENDED CONDITIONS OF APPROVAL LISTED IN THE STAFF REPORT; AND TO ADOPT ORDINANCE 2023-16 ADOPTING THE PUD STANDARDS REQUESTED BY GWSA LAND DEVELOPMENT, LLC (FOR NORTH STAR ADDITION ON THE SUBJECT PROPERTY; AND TO ADOPT RESOLUTION 2023-075 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2023-16. Motion passed 5 – 0.***

**ITEM 26: Prairie Skies Final Plat, PUD and Easement Vacation, Public Hearing**

Contract Planner Fuerst presented the request for final plat and PUD for a twin home development consisting of 15 buildings. Planner Fuerst discussed tree preservation efforts, name change and trail connections to the development. Irrigation was discussed with encouragement for the developer to use reclaimed stormwater if possible.

***Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.***

Don Place, 4010 Monarch Lake North, noted he is an HOA board member for the Wildflower neighborhood and asked that every viable deciduous tree be preserved along the property line. Mr. Place also expressed concern regarding overflow parking from the new development in the Wildflower neighborhood using the trail connection.

Mayor Cadenhead read written concerns submitted by John Mead, 10390 39<sup>th</sup> St. N., regarding traffic and the aesthetics of the new development.

***Councilmember Hirn, seconded by Councilmember Beckstrom, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.***

***Councilmember McGinn, seconded by Councilmember Holtz, moved TO ADOPT ORDINANCE 2023-17 ADOPTING THE PUD STANDARDS REQUESTED BY LANDUCCI CONSTRUCTION FOR THE PRAIRIE SKY PROJECT ON THE SUBJECT PROPERTY; AND TO ADOPT RESOLUTION 2023-077 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2023-17; AND TO ADOPT RESOLUTION 2023-078 APPROVING AN EASEMENT VACATION TO COINCIDE WITH THE PRAIRIE SKY PROJECT. Motion passed 5 – 0.***

**ITEM 27: Easton Village 6<sup>th</sup> Addition Final Plat**

Contract Planner Fuerst presented the proposed final plat for conversion of an outlot to a platted lot that will have a home built on it. Planner Fuerst also reviewed the recommended conditions of approval.

***Councilmember Hirn, seconded by Councilmember Holtz, moved TO APPROVE AGREEMENT TO EXTEND PRELIMINARY PLAT STATUS; AND TO APPROVE RESOLUTION 2023-079 FOR THE EASTON VILLAGE 6TH ADDITION FINAL PLAT WITH THE RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL. Motion passed 5 – 0.***

**ITEM 28: Authorize Preliminary Design Engineering Services for the 2024 Collector Street Improvement Project**

City Engineer Griffin reviewed street for potential collector street improvements as included in the 10 year Street Capital Improvement Program and noted recommended improvements in each area.

***Councilmember Holtz, seconded by Councilmember Hirn, moved TO AUTHORIZE KLJ, INC. TO PROVIDE PRELIMINARY DESIGN ENGINEERING SERVICES FOR THE 2024 COLLECTOR STREET IMPROVEMENT PROJECTS AS OUTLINED IN THE ATTACHED TASK ORDERS, INCLUDING TASK ORDER NO. 6, TASK ORDER NO. 7, AND TASK ORDER NO.8, IN THE AMOUNT NOT TO EXCEED \$80,300. Motion passed 5 – 0.***

#### **ITEM 29: Cannabis Regulations**

City Planner Jensen presented a proposed ordinance to regulate cannabis use in the city by prohibiting use in public places. Discussion was held regarding which cannabis products should be included in the regulations.

***Councilmember Hirn, seconded by Mayor Cadenhead, MOVED TO ADOPT ORDINANCE 2023-18, ENACTING REGULATIONS ON CANNABIS PRODUCT USE IN PUBLIC PLACES AND A FEE FOR PUBLIC CANNABIS USE VIOLATIONS.***

***Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO AMEND THE PROPOSED ORDINANCE BY REMOVING LOWER POTENCY HEMP EDIBLES FROM THE RESTRICTIONS. Motion failed 1 – 4. (Cadenhead, Beckstrom, Hirn, McGinn – nay).***

**Primary motion passed 3 – 2. (Beckstrom, Holtz – nay)**

***Councilmember Hirn, seconded by Councilmember McGinn, moved TO ADOPT SUMMARY PUBLICATION OF ORDINANCE 2023-18 WITH APPROVAL OF RESOLUTION 2023—080. Motion passed 4 – 1. (Beckstrom – nay)***

#### **COUNCIL REPORTS**

**Councilmember Holtz:** Reported on the EDA meeting that preceded the Council meeting.

#### **STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** Noted the upcoming City Council Budget Workshop on August 29<sup>th</sup> at 6:30 p.m.

**Fire Chief Kalis:** Reported on the kickoff of paid on call firefighter recruitment.

Meeting adjourned at 9:15 p.m.

**LAKE ELMO CITY COUNCIL MINUTES**  
**August 15, 2023**

**LAKE ELMO CITY COUNCIL**

ATTEST:

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Julie Johnson, City Clerk

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Charles Cadenhead, Mayor