

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
SEPTEMBER 19, 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 Isakson, Public Works Director Powers, Fire Chief Kalis, Administrative Services Director Goers, Finance Director Hadler, City Planner Jensen, Contract Planner Fuerst and City Clerk Johnson

APPROVAL OF AGENDA

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

ACCEPT MINUTES

Councilmember Hirn, seconded by Councilmember McGinn, moved TO ACCEPT THE MINUTES OF THE SEPTEMBER 5, 2023 CITY COUNCIL MEETING AND SEPTEMBER 12, 2023 CITY COUNCIL WORKSHOP AS PRESENTED. Motion passed 5 – 0.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

Public Works Director Powers presented a five year service award to Public Works Operator Mike Belde.

CONSENT AGENDA

2. Approve Payments and Disbursements
3. Approve IUP Renewal and Consent Agreement for Country Sun Farm – *Resolution 2023-086*
4. Approve City Center/Public Works Pay Request #20
5. Approve Pay Request No. 3 for Old Village Phase 7 Street and Utility Improvements
6. Approve Pay Request No. 7 for the Tapestry Sanitary Sewer Extension
7. Approve Pay Request No. 3 for 2023 Street Improvements
8. Approve Pay Request No. 2 for 2023 Trail Improvements
9. Call for Final Assessment Hearing for 2023 Street Improvements – *Resolution 2023-093*

10. Call for Final Assessment Hearing for Parkview Estates-Cardinal View-15th Street and Utility Improvements – *Resolution 2023-092*
11. Call for Final Assessment Hearing for Whistling Valley Street and Utility Improvements – *Resolution 2023-091*
12. Approve Special Assessment Deferral – *Resolution 2023-090*
13. Approve Massage Therapist License – Srae Bear Sims
14. Approve Permit Technician Job Description Update

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

ITEM 15: Final Assessment Hearing: Adopt Final Assessment Roll for Torre Pines Street and Utility Improvements

City Engineer Isakson presented the project scope, total project costs, assessable properties and final assessment amounts.

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

Kelly Keady, attorney for seven property owners who filed objections with the city, spoke in opposition of the assessments.

Michael Larson, 8335 22nd Street, expressed concern over the cost to connect to city water, water capacity issues and stated that his well water is safe.

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

Councilmember Holtz, seconded by Councilmember McGinn, MOVED TO APPROVE RESOLUTION NO. 2023-094, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE TORRE PINES STREET AND UTILITY IMPROVEMENTS. Motion passed 5 – 0.

ITEM 16: Approve Draw on Lennar Letter of Credit for the Savona 3rd and 4th Addition

City Engineer Isakson outlined punch list items that the developer has not completed as stated in the Development Agreement. Engineer Isakson also noted progress that has been made by Lennar in the past two weeks.

Steve Grohoski, Lennar representative, reviewed items completed and in progress on the punch list. Mr. Grohoski asked the Council for additional time to complete the work on the punch list and noted that rain is needed for the vegetation to grow.

Councilmember Hirn, seconded by Councilmember McGinn, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO DRAW ON THE LETTER OF CREDIT FOR U.S. HOME

CORPORATION, D/B/A/ LENNAR FOR THE SAVONA 3RD AND 4TH ADDITIONS, WITHOUT FURTHER NOTICE TO THE DEVELOPER, AND TO BE DRAWN IN THE AMOUNTS AS DEEMED APPROPRIATE BY THE CITY ADMINISTRATOR, AND THAT ONE OR MORE DRAWS MAY BE MADE WITHOUT FURTHER COUNCIL ACTION OR APPROVAL, ALL FOR THE PURPOSE OF COMPLETING THE SUBDIVISION IMPROVEMENTS. Motion passed 5 – 0.

ITEM 17: Royal Golf Minor Subdivision and Variance

City Planner Jensen presented the site plan to relocate the outlot intended for the HOA pool and fitness center in the Royal Golf housing development. Planner Jensen also reviewed the findings of fact and recommended conditions of approval.

Councilmember Holtz, seconded by Councilmember Hirn, moved TO ADOPT RESOLUTION 2023-87 APPROVING THE ROYAL DEVELOPMENT POOL AND FITNESS CENTER LOT FRONTAGE VARIANCE REQUEST BASED ON THE FINDINGS OF FACT AND CONDITIONS PRESENTED IN THE STAFF REPORT AND TO ADOPT RESOLUTION 2023-88 APPROVING THE ROYAL DEVELOPMENT POOL AND FITNESS CENTER MINOR SUBDIVISION REQUEST BASED ON THE FINDINGS OF FACT AND CONDITIONS PRESENTED IN THE STAFF REPORT. Motion passed 5 – 0.

ITEM 18: Drake Comprehensive Map Amendment and Zoning Map Amendment

Contract Planner Fuerst reviewed the background of the project, the site plan and proposed conditions of approval to facilitate the previously approved land swap between the city and Drake Motor Partners.

Councilmember McGinn, seconded by Councilmember Holtz, moved TO ADOPT RESOLUTION 2023-084 TO APPROVE A ZONING MAP AMENDMENT OF PARCEL #1 FROM COMMERCIAL PLANNED UNIT DEVELOPMENT (C-PUD) TO PUBLIC RIGHT-OF-WAY AND PARCEL #2 FROM PUBLIC RIGHT-OF-WAY TO COMMERCIAL PLANNED UNIT DEVELOPMENT (C-PUD). THIS APPROVAL IS SUBJECT TO THE CITY'S DECISION TO AMEND THE COMPREHENSIVE PLAN FOR THIS THE PARCELS AND IS BASED ON THE FINDINGS LISTED IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT. Motion passed 5 – 0.

Councilmember McGinn, seconded by Councilmember Holtz, moved TO ADOPT ORDINANCE 2023-019 AMENDING CHAPTER 105 OF THE LAKE ELMO CITY CODE OF ORDINANCES BY REZONING PART OF THE PROPERTY AT PID 34.029.21.44.0004 FROM C-PUD (COMMERCIAL PLANNED UNIT DEVELOPMENT) TO R-O-W (PUBLIC RIGHT-OF-WAY) AND PART OF PID 34.029.21.44.0012 FROM R-O-W (PUBLIC RIGHT-OF-WAY) TO C-PUD (COMMERCIAL PLANNED UNIT DEVELOPMENT). THIS APPROVAL IS SUBJECT TO THE CITY'S DECISION TO AMEND THE COMPREHENSIVE PLAN FOR THIS THE PARCELS AND IS BASED ON THE

FINDINGS LISTED IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT AND TO ADOPT RESOLUTION 2023-085 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2023-019. Motion passed 5 – 0.

ITEM 19: 2024 Budget – General Fund and Tax Levy

Finance Director Hadler reviewed General Fund revenue and noted changed from the current year. Director Hadler also provided the proposed date for the Truth in Taxation Hearing.

Councilmember Holtz, seconded by Councilmember Beckstrom, MOVED TO APPROVE RESOLUTION 2023-089 APPROVING THE 2024 PRELIMINARY GENERAL FUND BUDGET, 2024 PRELIMINARY PROPERTY TAX LEVY, AND SETTING PUBLIC HEARING DATE FOR THE 2024 BUDGET AND 2024 PROPERTY TAX LEVY FOR TUESDAY, DECEMBER 5, 2023 AT 7:00 P.M. Motion passed 5 – 0.

ITEM 20: Issuance of Request for Proposals for Engineering Services

City Administrator Handt reported that the city last issued an RFP for engineering services in 2017 and encouraged the city routinely seek bids as a best management practice.

Councilmember Hirn, seconded by Councilmember Holtz, moved TO AUTHORIZE THE ISSUANCE OF AN RFP FOR ENGINEERING SERVICES. Motion passed 5 – 0.

COUNCIL REPORTS

Councilmember Beckstrom: Reported that the Manning Avenue entrance to Easton Village is closed.

Councilmember Holtz: Noted upcoming meeting with Mahtomedi schools and stated that 3M settlement group meetings are continuing.

Councilmember McGinn: Reported on the Lake Elmo Airport Commission meeting in August. Also noted that the trails in the Inwood area are complete and in use.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Reported on work with the MPCA grants and White Bear Lake workgroup.

City Clerk Johnson: Reported on absentee voting for the November 7th election day.

Public Works Director Powers: Reported that the court reconstruction project is behind schedule.

Fire Chief Kalis: Reported that 24/7 firefighter shifts have started.

City Engineer Isakson: Provided an update on the water tower construction project.

LAKE ELMO CITY COUNCIL MINUTES
September 19, 2023

Meeting adjourned at 8:47 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Julie Johnson, City Clerk

Charles Cadenhead, Mayor