

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
OCTOBER 17, 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, Administrative Services Director Goers, Finance Director Hadler and City Clerk Johnson

APPROVAL OF AGENDA

Item 15, “Approve Settlement Agreement Between ISD 8343 Stillwater Public Schools, EN Properties LLC and E&E Properties LLC and City of Lake Elmo” was moved to the next meeting agenda.

Councilmember Hirn, 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 OCTOBER 10, 2023 CITY COUNCIL MEETING AS PRESENTED. Motion passed 5 – 0.

PUBLIC COMMENTS/INQUIRIES

RT Luczak, 11055 39th St. N., commented on water billing for his property, water usage and asked the city to file an appeal with the Met Council for his WAC & SAC charges at Kokoro Volleyball. Mr. Luczak also commented on escrow statements, building inspections and parking.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payments and Disbursements
3. Approve a Resolution Opting to Join the Statewide Volunteer Firefighter Plan –
Resolution 2023-098
4. Approve Dahlblom Settlement

5. Approve MPCA Grant Agreement and Engineering Task Order for the South Area Production Wells and Treatment Plan
6. Approve City Comments on the Washington County DRAFT 2024-2028 Capital Improvement Plan.
7. Approve Pay Request No. 12 for Water Tower No. 3
8. Approve Pay Request No. 4 for Old Village Phase 7 Street and Utility Improvements
9. Approve Pay Request No. 4 for 2023 Street Improvements
10. Approve Pay Request No. 3 for 2023 Trail Improvements
11. Accept Donation from Audrey Szymansky – *Resolution 2023-099*
12. Approve a revised MPCA Grant Agreement for the Stillwater Boulevard (CSAH 14) Trunk Watermain Improvements
13. Approve 2024 LMCIT Renewal
14. Approve City Center Pay Request #21
- ~~15. Approve Settlement Agreement Between ISD 8343 Stillwater Public Schools, EN Properties LLC and E&E Properties LLC and City of Lake Elmo~~

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

ITEM 16: Final Assessment Hearing: Adopt Final Assessment Roll for 2023 Street Improvements

City Engineer Griffin presented final costs and unit assessments along with the final assessment roll.

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

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

Councilmember Holtz, seconded by Councilmember McGinn, moved TO APPROVE RESOLUTION NO. 2023-100, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 2023 STREET IMPROVEMENTS. Motion passed 5 – 0.

ITEM 17: Approve MPCA Grant Agreement and Adopt Final Assessment Roll for Parkview Estates – Cardinal View – 15th Street and Utility Improvements

City Engineer Griffin presented project background information and options related to the grant agreement amendment to allow a property to be eligible for grant funds regardless of whether the property connected to city water and sealed the private well on the property. Discussion was held regarding the grant agreement amendment terms and process.

Councilmember Hirn, seconded by Councilmember Holtz, moved TO APPROVE RESOLUTION NO. 2023-100, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 2023 STREET IMPROVEMENTS. Motion passed 3 – 2. (Beckstrom, McGinn – nay)

ITEM 18: Approve MPCA Grant Agreement and Adopt Final Assessment roll for Whistling Valley Street and Utility Improvements

City Engineer Griffin reviewed the project background and grant amendment options.

Councilmember Hirn, seconded by Councilmember Holtz, moved TO APPROVE THE GRANT AGREEMENT AMENDMENT #1 WITH THE MPCA FOR THE WHISTLING VALLEY STREET AND UTILITY IMPROVEMENTS, AND CANCEL ALL PROPOSED ASSESSMENTS FOR THE IMPROVEMENTS. Motion passed 3 – 2. (Beckstrom, McGinn – nay)

ITEM 19: Approve MPCA Grant Agreement Amendment #1 and Repeal Final Assessments for the Torre Pines Street and Utility Improvements

City Engineer Griffin reviewed the project background and grant amendment options.

Councilmember Hirn, seconded by Councilmember Holtz, moved TO APPROVE GRANT AGREEMENT AMENDMENT #1 WITH THE MPCA, AND MOVE TO APPROVE RESOLUTION NO. 2023-103, REPEALING THE ADOPTION OF RESOLUTION 2023-094, A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR THE TORRE PINES STREET AND UTILITY IMPROVEMENTS. Motion passed 3 – 2. (Beckstrom, McGinn – nay)

ITEM 20: Accept Feasibility Report and Call for Hearing on Improvements for the 2024 Street and Utility Improvements

City Engineer Griffin presented an overview of the existing road conditions and presented proposed watermain improvements, street reclamation and no parking areas. Griffin also reviewed assessable properties, preliminary assessment roll and project timeline.

Councilmember McGinn, seconded by Councilmember Holtz, moved TO APPROVE RESOLUTION NO. 2023-104, RECEIVING THE FEASIBILITY REPORT AND CALLING A PUBLIC HEARING FOR THE 2024 STREET AND UTILITY IMPROVEMENTS. Motion passed 5 – 0.

COUNCIL REPORTS

Mayor Cadenhead: Attended Establish Salon 10 year anniversary open house and City Center open house/ribbon cutting.

Councilmember Beckstrom: Attended the City Center open house and thanked staff for efforts in providing quarterly dashboards.

Councilmember Hirn: Thanked the fire department for attending a recent park event with the community.

Councilmember Holtz: Reported on a Mahtomedi School District community leaders meeting.

STAFF REPORTS AND ANNOUNCEMENTS

City Clerk Johnson: Reported on polling locations for the November 7th election.

Administrative Services Director Goers: Reported on open enrollment.

Fire Chief Kalis: Reported on fire department activity and arrival of new engine.

Public Works Director Powers: Reported that the wells have slowed down pumping with the end of irrigation season and the new water tower should be on line at the end of November.

CLOSED SESSION

Councilmember Holtz, seconded by Councilmember McGinn, moved TO ENTER CLOSED SESSION FOR AN ATTORNEY-CLIENT PRIVILEGED DISCUSSION PURSUANT TO MINN. STAT. 13D.05, SUBD. 3(B) TO DISCUSS THE CITY'S OPTIONS TO PARTICIPATE IN MULTIDISTRICT LAWSUIT CLASS SETTLEMENT ENTITLED: IN RE: AQUEOUS FILM FORMING FOAMS PRODUCTS LIABILITY LITIGATION; UNITED STATES DISTRICT COURT, DISTRICT OF SOUTH CAROLINA – CHARLESTON DIVISION; MDL NO. 2:18-MN-2873-RMB; CASE NO. 2:23-CV-03147-RMG. Motion passed 5 – 0.

Closed session held.

Councilmember Holtz, seconded by Councilmember Hirn, moved TO RETURN TO OPEN SESSION. Motion passed 5 – 0.

Meeting adjourned at 8:38 p.m.

LAKE ELMO CITY COUNCIL MINUTES
October 17, 2023

LAKE ELMO CITY COUNCIL

ATTEST:

Julie Johnson, City Clerk

Charles Cadenhead, Mayor