

LAKE ELMO CITY COUNCIL MINUTES SEPTEMBER 03, 2013

CITY OF LAKE ELMO CITY COUNCIL MINUTES September 03, 2013

Mayor Pearson called the meeting to order at 7:04 P.M.

PRESENT: Mayor Pearson, Council Members Nelson, Smith, Bloyer, and Reeves

Also Present: City Administrator Zuleger, City Attorney Snyder, Planning Director Klatt, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

*MOTION: Council Member Smith moved **TO APPROVE THE SEPTEMBER 03, 2013 CITY COUNCIL AGENDA**. Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

ITEM 1: ACCEPT MINUTES

THE AUGUST 20, 2013 CITY COUNCIL MINUTES WERE APPROVED BY CONSENSUS OF THE CITY COUNCIL. COUNCIL MEMBER SMITH ABSTAINED.

PUBLIC COMMENTS:

Library Director Linda Orsted spoke on the library. September is library card sign up month. It's the "smartest card in your wallet." New program Café Philo meets every Wednesday 10:15AM. On September 17th Corey Lynn is holding meeting at 6:30pm on upcoming levy election.

SPEAK YOUR PEACE:

Council Member Bloyer on the Speak Your Peace tenet of using constructive language. It really is the essence of SYP project. It is important when disagreeing, to not make it personal and keep it on the issues. Represent arguments based on facts and not letting emotions take over. Also includes acknowledging positive contributions that you may disagree with. Recent debate of the Comprehensive Plan is an example.

PROCLAMATION

Mayor Pearson proclaimed Tuesday, September 17th through Monday, September 23, 2013 as *Constitution Week*. The Mayor read the proclamation.

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll in the amount of \$114,098.22
3. Approve Variance - 4719 Olson Lake Trail North; Resolution 2013-66
4. Approve Variance - 3712 Layton Avenue North; Resolution 2013-67
5. 2012 Street & Water Quality Improvements – Declare Costs to be Assessed and Call for Hearing; Resolution 2013-68
6. Keats MSA Street and Trunk Watermain Improvements – Change Order No. 3.
7. Approve Resolution to Set Hearing for 2014 Budget and Levy Discussion; Resolution 2013-69

LAKE ELMO CITY COUNCIL MINUTES SEPTEMBER 03, 2013

*MOTION: Council Member Smith moved **TO APPROVE THE CONSENT AGENDA**. Council Member Nelson seconded the motion. **MOTION PASSED 5-0**.*

REGULAR AGENDA

ITEM 9: COMPREHENSIVE PLAN AMENDMENT: CHAPTER VI - WASTEWATER FACILITIES

Planning Director Klatt presented the comp plan amendment. He noted that it has been drafted and recommended by the Planning Commission. The proposal better reflects the changes to the land use plan. The highlighted updates included not differentiating between commercial and residential, however new versus old development is identified. It also updates the maps being used. The proposed amendment would replace Chapter Six in its entirety.

*MOTION: Council Member Smith moved **TO APPROVE RESOLUTION 2013-70, APPROVING THE AMENDMENT TO CHAPTER VI - WASTEWATER FACILITIES OF THE CITY'S COMPREHENSIVE PLAN**. Council Member Reeves seconded the motion. **MOTION PASSED 5-0**.*

ITEM 10: WELL NO. 4 CONNECTING WATERMAIN - RESOLUTION RECEIVING FEASIBILITY REPORT AND CALLING HEARING ON IMPROVEMENT

City Engineer Griffin explained the project and presented the feasibility report.

Involves extension up Lake Elmo Avenue from existing pipe at 43rd to 50th and the well site. Mr. Griffin explained the benefits received by the property owners. It involves ten properties and a \$5,800 lateral benefit charge per property. Total project cost is \$617,000. Option 1: City contribution is \$307,000 and the property owners are assessed the \$5,800. Option 2: half of assessment is deferred until hook up. The City portion goes up to \$336,000. Assessment is over 15 years at bond rate +2%. Explained the connection costs -currently at \$4,300 one time charges. Mr. Griffin presented the "all in" costs for each property.

Each service stub costs city about \$2,000. explained the added benefits: ability to easily access and connect to City water supply system, if needed/desired; service stub installed at reduced costs; Service Corporation and Curb stop already installed; added Fire Suppression Capability in immediate area; and savings in Homeowners Insurance Premiums: 10-15%. Mr. Griffin presented the project schedule. He also explained that because this was council initiated and not a petition, it would require a 4/5 vote. Staff does recommend that the stubs are put in initially.

Council Member Bloyer asked if there is no initial stub does the property considered to still receive a benefit. Mr. Griffin said it is difficult to assess the property.

Council Member Smith asked that properties which currently do not have a house present can be notified of potential assessment. She also said it should be a simple issue as it is the same as Keats Ave. project.

Council Member Nelson asked cost of stubbing later. Mr. Griffin said probably \$6,000 each. Mr. Nelson also asked if any residents have been contacted yet. Mr. Griffin said that staff was waiting for council direction before contacting residents.

Council Member Reeves asked if it is possible to not install stub and then if the owner wants to connect they pay the entire cost. Mr. Griffin said it is difficult to treat owners differently. It becomes slippery slope. Mayor Pearson asked if the road integrity is affected in later installed stubs. Mr. Griffin stated it does affect the integrity.

*MOTION: Council Member Bloyer moved **TO APPROVE RESOLUTION 2013-71, RECEIVING THE FEASIBILITY REPORT AND CALLING HEARING ON IMPROVEMENT FOR THE WELL NO. 4***

LAKE ELMO CITY COUNCIL MINUTES SEPTEMBER 03, 2013

CONNECTING WATERMAIN IMPROVEMENTS. Council Member Nelson seconded the motion.
MOTION PASSED 5-0.

ITEM 11: SECTION 34 WATER AND SEWER UTILITY EXTENSION IMPROVEMENTS – PUBLIC IMPROVEMENT HEARING; ORDERING THE IMPROVEMENT; ACCEPT BIDS AND AWARD CONTRACT

City Engineer Griffin gave summary overview of the project. It entails 16 parcels and 9 property owners. There are currently three developments in the works: Boulder Ponds, Savona, and Hammes Estates. Project is 100% assessed to developers. Involves obtaining Permanent and Temporary Construction Easement Agreements, as well as Petition and Waiver Agreements. City received very good bids - about \$100K under budget.

City Administrator Zuleger noted that City also received 100% petition agreement from property owners. This is quite an accomplishment. He thanked all staff for the hard work. City Attorney Snyder was especially commended for sacrificing his vacation to complete these efforts. There are some minor clerical issues still being completed.

*MOTION: Council Member Nelson moved **TO OPEN PUBLIC HEARING AT 7:50PM.** Council Member Reeves seconded the motion. **MOTION PASSED 5-0. Public Meeting opened at 7:50PM.***

Mayor Pearson called for public input three times. There was no public participation.

*MOTION: Council Member Nelson moved **TO CLOSE PUBLIC HEARING AT 7:50PM.** Council Member Reeves seconded the motion. **MOTION PASSED 5-0. Public Meeting closed at 7:50PM.***

*MOTION: Council Member Smith moved **TO APPROVE RESOLUTION NO. 2013-72, ORDERING THE IMPROVEMENT, ACCEPTING THE BIDS, AND AWARDED A CONTRACT TO REDSTONE CONSTRUCTION CO., INC., IN THE AMOUNT OF \$1,701,884.50, FOR THE SECTION 34 WATER AND SEWER UTILITY EXTENSION IMPROVEMENTS.** Council Member Bloyer seconded the motion.*

City Attorney Snyder asked for motion to be contingent on staff receipt of required documents sufficient to ensure 100% developer paid for. This was a friendly amendment to motion.

AMENDED MOTION: TO APPROVE RESOLUTION NO. 2013-72, ORDERING THE IMPROVEMENT, ACCEPTING THE BIDS, AND AWARDED A CONTRACT TO REDSTONE CONSTRUCTION CO., INC., IN THE AMOUNT OF \$1,701,884.50, FOR THE SECTION 34 WATER AND SEWER UTILITY EXTENSION IMPROVEMENTS CONTINGENT ON STAFF RECEIPT OF REQUIRED DOCUMENTS SUFFICIENT TO ENSURE 100% DEVELOPER PAID FOR.

Council thanked staff and noted their relief.

MOTION PASSED 5-0. Council Member Smith commented that this is a big deal.

ITEM 12: 2013 CITY OF LAKE ELMO RETREAT SUMMARY

City Administrator Zuleger gave overview of the retreat report. Once approved, staff would like to post online. Mayor Pearson clarified 2013-2015 TIF strategy was just a strategy. Mr. Zuleger stated that it was. Council consensus was that the retreat and the recap were great.

LAKE ELMO CITY COUNCIL MINUTES SEPTEMBER 03, 2013

*MOTION: Council Member Reeves moved **TO APPROVE EXECUTIVE SUMMARY OF THE CITY OF LAKE ELMO COUNCIL RETREAT AND PUBLISH ONLINE AND PLACE ON FILE FOR PUBLIC REVIEW.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

ITEM 13: 2014 ORGANZATIONAL CHART

City Administrator Zuleger explained the previously submitted org chart. It includes three title changes: Adam Bell to Assistant City Administrator; Beckie Gumatz - Deputy Clerk. Kyle Klatt - Director of Community Development. Proposal also adds Parks Maintainer role. Mr. Zuleger explained the time apportionment of staff. He also noted that Mr. Bell's role and apportionment will probably continue to change throughout the year with new duties.

Public Works staff will start new merit/proficiency pay structure. The structure includes skills mastery to advance through steps. Overall the City is still below many of comparable municipalities, but hopefully this will make City competitive.

Council Member Nelson asked about new positions job descriptions. Deputy Clerk has a description and Mr. Klatt's description will stay the same, but Mr. Bell's is being devised.

*MOTION: Council Member Bloyer moved **TO APPROVE THE 2014 CITY OF LAKE ELMO ORGANIZATIONAL CHART ACCOMPANIED BY THE 2104 PERSONNEL COMPENSATION DISTRIBUTION AND THE CITY OF LAKE ELMO DEPARTMENT OF PUBLIC WORKS PAY CLASSIFICATION MATRIX.** Council Member Smith seconded the motion. **MOTION PASSED 5-0.***

SUMMARY REPORTS AND ANNOUNCEMENTS

Mayor Pearson: Hwy 5 work begins this week; Parks Commission retreat on 9/28. Mayor is okay with waiting until after retreat for meeting again with Parks Commissioners individually; recognized Jill Martin, who picks up trash. He thinks it's great. The Mayor thanked her for her efforts.

Council Member Bloyer: is also okay with waiting until after the retreat to meet with Parks Commissioners. He thanked Mike Cornell, Ryan Stempski, Rick Chase, and Adam Bell and staff for being great to work with on city issues.

Council Member Smith: Lake Elmo Days, thanked staff who worked on it; Alyssa MacLeod, Cathy Bendel, Greg Malmquist, and all the rest. Lions park Friday night and Saturday all afternoon. City Administrator noted the Battle of the Bands event Friday night.

Council Member Nelson: is also fine with waiting until after retreat for Parks meetings.

Council Member Reeves: will be attending Parks Commission retreat.

City Administrator Zuleger: presented letter from the business community. Met with Moody's. they were very impressed. MPCA - Hamlet at sunfish lakes. Meeting; Adam Josephson construction at night; thanked Mss. Waters and Obermueller for luncheon; Public Works has chipped 6,500 cubic feet of wood chips from the storm; again thanked Dave Snyder for working during his vacation.

City Attorney Snyder: worked on Section 34 easements and assessment petitions/waivers.

City Planner Klatt: Comp Plan review to Met Council. Tonight's wastewater amendment will help move that forward; meet with MnDOT Aeronautics; village mixed use zoning and design standards at Planning Commission in September;

LAKE ELMO CITY COUNCIL MINUTES
SEPTEMBER 03, 2013

City Engineer Griffin: Pre-construction meetings for Olson Lake Trail and Village Forcemain and Lift Station. Keats Avenue project is progressing. Final third of pavement should be laid soon.

Finance Director Bendel: Bond meeting preparation; working on budget books; getting ready for assessment season

City Clerk Bell: Working on animal ordinance amendment hope to bring to October 1 Council meeting; managing the receipt of the Section 34 easements and petitions; implementing Laserfiche and reduction of paper use in City Hall.

Mayor Pearson adjourned the meeting at 8:17 P.M.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk