

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
AUGUST 4, 2015**

A. CALL TO ORDER

Mayor Pearson called the meeting to order at 7:00 pm.

PRESENT: Mayor Mike Pearson and Council Members Julie Fliflet, Anne Smith, Justin Bloyer, and Jill Lundgren.

Staff present: Interim Administrator Schroeder, City Attorney Snyder, City Engineer Griffin, Finance Director Bendel, Community Development Director Klatt and City Clerk Johnson.

B. PLEDGE OF ALLIGENCE

C. APPROVAL OF AGENDA

Councilmember Lundgren added discussion of street names and widths to Agenda Item 13. Staff requested removal of Agenda Item 14.

Councilmember Lundgren moved TO APPROVE THE AGENDA AS AMENDED. Councilmember Fliflet seconded the motion. MOTION PASSED 3-2. (Pearson, Bloyer – Nay)

D. ACCEPT MINUTES

May 19, 2015 accepted as presented. July 21, 2015 meeting minutes accepted with additions from Mayor Pearson, Councilmember Fliflet and Councilmember Smith.

COUNCIL REPORTS

Mayor Pearson: Met with Parks Commission Chair Weis and Interim Administrator Schroeder along with representatives from Washington County to discuss Lake Elmo Park Reserve access on Inwood Avenue; attended East Metro Strong bus rapid transit open house; met with the County Sheriff and Interim Administrator Schroeder; and asked the public for input on the future of Main Street. Noted the Manzara Nature Center proposal will be on the next workshop agenda. Congratulated the Lake Elmo Baseball 12AAA team for their state title win.

Council Member Lundgren: Met with Washington County to review the future of Tartan Park. Met with Citizens regarding the cemetery proposal and other issues. Reported Farmers Market is doing very well. Met with Public Works Superintendent Bouthilet to discuss the possibility of a dog park in the city. Noted that the City Council and Parks Commission had an excellent joint meeting. Announced that she has recently been diagnosed with a rare disorder, Bechet's.

Council Member Bloyer: Responded to emails regarding the Landucci proposal, the cemetery proposal and a resident on Laverne Avenue. Reviewed the discussion held at the joint workshop with the Parks Commission for the public as no members of the public were present and worksessions are not recorded.

Council Member Smith: Thanked the Parks Commission for their participation in the joint workshop and felt many good points were raised.

Council Member Fliflet: Attended a Finance Committee meeting, dealt with ongoing discussions on the library, cemetery application and Landucci development proposal. Attended joint workshop with the Parks Commission. Spoke with Bob Engstrom and residents.

PUBLIC COMMENTS/INQUIRIES

Nate Duprey, Lake Elmo Librarian, reported on activities at the library, noting that July was the busiest month in the library's history for items circulated with a 12% increase over the previous year. Duprey also reported on plans for expansion into library space previously occupied by a tenant.

Barry Weeks, 3647 Lake Elmo Avenue North spoke about a letter read by the City Clerk at the previous council meeting.

Lee Rossow, Halcyon project developer, noted that his project is on hold while the City completes review and asked the Council to consider what type of use is better for the overall area.

Mike Reeves, 11075 14th Street N. commented on an article in the *Stillwater Gazette* on July 26, 2015.

Mike Slobodnik, Lake Elmo Jaycees President, provided an update on Huff n' Puff Days, noting it is the largest softball tournament in the country and thanked the City for assisting the Jaycees with the event.

Dale Doerscher, 3150 Lake Elmo Avenue, commented on the approved street widths in the Wildflower development, the letter read by the City Clerk at the prior meeting, and city staffing.

PRESENTATIONS

None

FINANCE CONSENT AGENDA

- 3. Approve Payment of Disbursements**
- 4. Accept Finance Report dated July 30, 2015**
- 5. Approve Extension of Audit Services Contract**
- 6. Approve Grant Application for Trail Grooming Reimbursement – Resolution 2015-61**

Councilmember Smith, seconded by Councilmember Smith, moved TO APPROVE THE FINANCE CONSENT AGENDA AS PRESENTED. MOTION PASSED 5-0.

OTHER CONSENT AGENDA

- 7. Eagle Point Boulevard Street & Utility Improvements – Change Order No. 1**
- 8. 2015 Seal Coat Project – Pay Request No. 1 (Final)**
- 9. 39th Street N: Street & Sanitary Sewer Improvements – Pay Request No. 6**
- 10. Approve Amendment to Community Development Block Grant Cooperation Agreement**

Councilmember Smith, seconded by Councilmember Fliflet, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION PASSED 5-0.

ITEM 11: 2016 STREET IMPROVEMENTS – AUTHORIZE FEASIBILITY REPORT

City Engineer Griffin reviewed the areas included in the 2016 project, the project schedule and background on each area included in the project. Griffin also reviewed the assessments to the property owners and the City's contribution.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION 2015-62, ORDERING PREPARATION OF A FEASIBILITY REPORT FOR THE 2016 STREET IMPROVEMENTS TO FOCUS ENGINEERING IN THE NOT TO EXCEED AMOUNT OF \$10,800. Motion passed 5 – 0.

ITEM 12: REASSIGNMENT OF EASTON VILLAGE TRUNK SEWER LINE

Community Development Director Klatt reviewed the history of the project and explained that other developers have expressed a willingness to take over the project. Klatt summarized the changes requested, the time frame for the project and stressed that there are constraints associated with the deadline for assessment certification. City Attorney Snyder advised that an approval include language requiring fees to be delivered to the City promptly.

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO AMEND THE DEVELOPERS AGREEMENT AS DRAFTED WITH A REQUIREMENT THAT SECURITIES AND RELATED DOCUMENTS BE DELIVERED TO THE CITY PROMPTLY WITH COUNCIL RESERVING THE RIGHT TO RECONSIDER THE APPROVAL IF THAT CONDITION IS NOT MET. Motion passed 5 – 0.

ITEM 13: WILDFLOWER AT LAKE ELMO DEVELOPER'S AGREEMENT, STREET WIDTHS AND STREET NAMING

Community Development Director Klatt presented the Developer's Agreement for Wildflower Phase I, noting that park dedication proposal for park land and trails meets the City's requirements. Klatt also reported that the developer is required to pay for oversizing of utilities and stated that the City Engineer will conduct a final review and approval of final construction plans.

Discussion was held concerning the template used to draft Developer's Agreements. Councilmember Fliflet stated she prefers to have more points in the agreements and note when it doesn't apply rather than omitting them.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2015-63 APPROVING THE DEVELOPER'S AGREEMENT FOR WILDFLOWER AT LAKE ELMO. Motion passed 5 – 0.

Councilmember Lundgren stated that she would like to change her vote on the street naming in Wildflower after reconsidering what the developer had initially proposed.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO RECONSIDER STREET NAMES IN WILDFLOWER TO USE THE NAMING SYSTEM PROPOSED BY THE DEVELOPER ON HIS INITIAL PROPOSED PLAT. Motion passed 3 – 2. (Pearson, Bloyer – Nay)

Discussion held concerning enforceability of changes to the plat that has already been approved. Attorney Snyder stated that the developer cannot be held to the changes but can make them if he chooses.

Mayor Pearson stated that he felt it was better to abide by the recommendations of safety professionals and use the county street naming system.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO RECONSIDER THE WIDTH OF THE SOUTHERNMOST STREET, SUNFLOWER LANE, ON THE PLAT TO INCREASE THE STREET WIDTH FROM 18 FEET TO 24 FEET. Motion passed 3 – 2. (Smith, Bloyer – Nay)

Councilmember Fliflet stated that after further discussion with staff regarding the street widths, she is in favor of requiring 24 foot street widths.

Councilmember Smith stated that she feels there is plenty of access through streets and alleys and therefore disagrees with requiring 24 foot street widths.

14. APPROVAL OF FINAL 5TH STREET LANDSCAPE DESIGN

15. APPROVAL OF AGREEMENT FOR CITY PLANNER SERVICES

Community Development Director Klatt reviewed the request, noting that the contractor is currently helping with projects that are reimbursable but would like to be able to utilize the contractor for other projects.

Councilmember Fliflet, seconded by Councilmember smith, moved TO APPROVE THE AGREEMENT FOR CITY PLANNER SERVICES. Motion Passed 4 – 1. (Bloyer – Nay)

Councilmember Bloyer expressed concern about potential costs to the City under the proposed contract.

16. POSSIBLE FORMATION OF A CITY ENVIRONMENTAL COMMITTEE

Councilmember Fliflet stated that there are citizens that have expressed interest in serving on an environmental committee, noting that Tedi Carlson was in the audience and would be a big asset to the city in that capacity. Councilmember Fliflet suggested that the committee could be an advisory committee to the City Council on issues related to storm water, runoff, wetlands, waste, tree preservation and other issues.

Mayor Pearson stated he did not want the formation of a committee to be a burden to City staff but was in favor of forming an environmental committee. Councilmember Fliflet volunteered to recruit members and draft a charter for the committee.

17. TARTAN PARK DISCUSSION

Councilmember Lundgren reported on Washington County and Trust for Public Land working with 3M to preserve Tartan Park as a county owned park. Lengthy discussion was held concerning the size of the park, zoning and potential future uses. Mayor Pearson read a letter from resident Nadine Obermueller in support of retaining the Tartan Park as a park. Interim Administrator Schroeder stated that 3M has issued a deadline of September 22, 2015 for Washington County to commit to purchasing the park. City Attorney Snyder suggested the City

consider passing a Resolution representing a unified voice expressing the City's willingness to work with the parties and requesting time to consider the issues.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO DIRECT STAFF TO DRAFT A RESOLUTION SUMMARIZING THE CITY'S POSITION ON THE DISPOSITION OF TARTAN PARK. Motion passed 5 – 0.

STAFF REPORTS AND ANNOUNCEMENTS

Interim City Administrator Schroeder: thanked staff for assistance during his transition into the Interim Administrator role. Announced that the FRESH weekly email is back up and running and encouraged Councilmembers to send submissions to him for inclusion. Attended meetings at the Library to deal with construction issues and Gateway Corridor meeting.

City Clerk Johnson: reminded the public that the city will hold an election in November and announced that election judges will be notified in the coming weeks.

Finance Director Bendel: working on the 2016 budget, closing July financials and preparing for the Finance Committee meeting on August 12, 4:30 – 6:30 p.m. Councilmembers were encouraged to attend the Finance Committee meeting for further detail on the 2016 budget preparations.

City Attorney Snyder: working on routine development items, thanked staff for assistance and Councilmembers for their commitment of time.

Community Development Director Klatt: working on finalizing the job description for the City Planner position; preparing for the upcoming Planning Commission meeting, Landucci development public hearing and new application for the Auto Owners Insurance office building.

City Engineer Griffin: addressing developer issues, have 3-4 pre-construction meetings to get grading started, working with Washington County and SEH on the downtown project streetscape.

Meeting adjourned at 9:45 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
AUGUST 11, 2015**

I. CALL TO ORDER

Mayor Pearson called the meeting to order at 6:00 pm.

PRESENT: Mayor Mike Pearson and Council Members Julie Fliflet, Anne Smith (6:05 p.m.), Justin Bloyer, and Jill Lundgren.

Staff present: Interim Administrator Schroeder, Finance Director Bendel, Community Development Director Klatt and City Clerk Johnson.

II. APPROVAL OF AGENDA

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO APPROVE THE AGENDA AS PRESENTED. MOTION PASSED 4 – 0.

III. SUNFISH LAKE PARK NATURE CENTER

Mayor Pearson introduced the matter and invited the applicant to speak. Mr. Manzara stated he would prefer to start with the document his attorney prepared, as the document the City Attorney prepared lacks direction for action. Mr. Manzara requested that the Council direct the City Attorney to draft a lease agreement and stated he feels there is no assurance in the proposed City agreement that the Council will continue to move forward on the project.

Councilmember Bloyer stated that the Council is committed to this project. Mayor Pearson added that the Council is supportive of the proposal and he is confident it will continue to move forward.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO ACCEPT THE LETTER OF INTENT DRAFTED BY THE CITY ATTORNEY AND DIRECT THE CITY ATTORNEY TO NEGOTIATE A LEASE AGREEMENT WITH ALL CONDITIONS MET BEFORE THE CITY EXPENDS RESOURCES, WITH THE EXCEPTION OF TEN HOURS OF STAFF TIME.

Councilmember Fliflet offered a FRIENDLY AMENDMENT TO THE MOTION TO REMOVE THE LIMIT ON STAFF TIME, stating that it is worth spending staff time to make this happen for the City. Councilmember Bloyer accepted the amendment. Motion passed 4 – 1. (Pearson – Nay)

Mayor Pearson stated that the Council is committed to this project and felt the Letter of Intent was sufficient and protected the City.

IV. CITY PLANNER/ASSOCIATE PLANNER DISCUSSION

Interim Administrator Schroeder presented two job descriptions for consideration to fill the vacant City Planner position. Discussion was held concerning the job descriptions, salary range and selection process. Councilmember Bloyer stated that staff should handle the hiring process and the Council should not be involved.

LAKE ELMO CITY COUNCIL MINUTES

August 11, 2015

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO DIRECT STAFF TO MOVE FORWARD WITH THE HIRING PROCESS FOR A CITY PLANNER AS OUTLINED IN THE JOB DESCRIPTION PROVIDED. Motion passed 3 – 2. (Pearson, Bloyer – Nay)

Mayor Pearson stated that he was in favor of filling the position with an associate planner at a lower salary.

Meeting adjourned at 6:42 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk