

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
JANUARY 19, 2016**

**CALL TO ORDER**

*Parliamentarian Kevin Wendt called the meeting to order at 7:00 pm.*

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

Staff present: Interim Administrator Schroeder, City Attorney Sonsalla, City Engineer Griffin, Finance Director Bendel, Planning Director Wensman, and City Clerk Johnson.

Others present: Parliamentarian Kevin Wendt

**PLEDGE OF ALLIGENCE**

**APPROVAL OF AGENDA**

Councilmember Bloyer moved items 12 and 13 to the Regular Agenda. Interim Administrator Schroeder added Parliamentarian Contract to the Regular Agenda as item 24. Item 21 was moved to the beginning of the Regular Agenda and Item 14 was moved to the end.

*Agenda approved by consensus as amended.*

**ACCEPT MINUTES**

Minutes of the November 17, 2015 Regular Meeting were accepted after discussion.

**PUBLIC COMMENTS/INQUIRIES**

Virginia Pleban, 8245 59<sup>th</sup> Street North, spoke about ethics and integrity and asked the Council to think about the future of Lake Elmo

Mike Reeves, 11075 14<sup>th</sup> Street North, commented on the departure of staff, volunteers and the former City Attorney and encouraged the removal of the censure on Councilmember Bloyer.

Barry Weeks, 3647 Lake Elmo Avenue, commented on an article in the Stillwater Gazette and stated that the City is wasting money in a lot of areas.

Nadine Obermueller, 8696 42<sup>nd</sup> Street, apologized to Councilmember Smith for the contempt and cruelty aimed at her and stated it is time to move forward and remove the censure of Councilmember Bloyer.

Christine Nelson, 2871 Legion Avenue North, thanked the Council for the job they do and stressed the importance of ethics, morals and values.

Susan Dunn, 11018 Upper 33<sup>rd</sup> Street, thanked the Parliamentarian for assisting with the Council meetings and asked the City Council to re-work the numbers in the Old Village.

**PRESENTATIONS**

**Lake Elmo Library Presentation**

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Library Board Vice President Sarah Linder reported that the Lake Elmo Library has been pursuing Associate Library status with Washington County, retaining a local library with local control.

Councilmember Fliflet reviewed a proposal for the Lake Elmo Library that was presented to Washington County and reviewed a recent history of other meetings held concerning the library's status with the county system. Fliflet also explained the risks with being a branch library compared to independent and associate status. Fliflet reviewed the library statistics, mission, financial benefits to Washington County, and reactions to the presentation given to the county.

Mayor Pearson stated he prefers affiliate status for the library rather than associate status, as associate status would be more costly. Councilmember Bloyer stated the city should pursue associate status along with exploring affiliate status as well.

Jean Olinger, 9057 Lake Jane Trail, stated the city should pursue associate status as that appears to be the path of least resistance and asked for information on specific responses from the county regarding the library.

Elizabeth Hartley-Pawloski, 9737 51<sup>st</sup> Street North, asked for the library to become reaffiliated with the county system, stating she uses the Stillwater Library and would like the additional access to other libraries.

Sarah Linder, 11108 12<sup>th</sup> Street North, stated the library currently has access to ebooks and other resources at the Stillwater Library but associate status would give residents greater access to the resources of other libraries.

**FINANCE CONSENT AGENDA**

- 2. Approve Payment of Disbursements**
- 3. Accept December 2015 Assessors Report**
- 4. Accept December 2015 Building Department Report**
- 5. Eagle Point Boulevard Street Improvements – Pay Request No. 5**
- 6. 39<sup>th</sup> Street: Street and Sanitary Sewer Improvements – Change Order No. 5**
- 7. 39<sup>th</sup> Street: Street and Sanitary Sewer Improvements – Compensating Change Order No. 6**
- 8. 39<sup>th</sup> Street: Street and Sanitary Sewer Improvements – Pay Request No. 8 (FINAL)**
- 9. Village Trunk Utility Improvements – Approve Reduction of Security #1**
- 10. East Metro Water Resource Education Program (EMWREP) – Renew Shared Resource Education Program Agreement**

*Consent Agenda approved as presented.*

**ITEM 21: Library Board Appointments**

Interim Administrator Schroeder reviewed his memo regarding Library Board Appointments and noted the City Attorney's opinion that the Library Board cannot change the board structure without City Council approval.

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Judy Gibson, 10684 10<sup>th</sup> Street Court North, Library Board Member, spoke on behalf of the Board, explaining Library Board recommendations for reappointments and appointment of a new member and added that the shift from alternates to full board members would make meetings and voting easier for the alternates.

Mayor Pearson encouraged the Library Board to look at a management fee payable to the City.

***Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2016-06 INCREASING THE LIBRARY BOARD FROM 7 MEMBERS AND 2 ALTERNATES TO A BOARD OF 9 MEMBERS. Motion passed 5 – 0.***

***Mayor Pearson, seconded by Councilmember Lundgren, moved TO REAPPOINT STEVE DELAPP AND SARAH LINDER AND APPOINT MARGOT SEILINI AND TOM DEGREE TO THE LIBRARY BOARD. Motion passed 5 – 0.***

**ITEM 15: Hidden Meadows Plat Extension**

Bob Bridges, Executive Pastor of Rockpoint Church, explained that the request is for a two year extension of the plat approval with no changes to the plat. The extension is requested to provide assurance to a potential buyer that the City would move forward with the process. Mr. Bridges added that the church would be coming back to request a small change in the water main location at the final plat approval.

Planning Director Wensman reviewed the plat, noting open space and history of the project.

Mark Guenther of Gen Mark Builders stated that it is a well designed project and his firm would build single family detached housing with no changes to the design of the project. Councilmember Smith suggested the addition of more trees to adequately screen the south and west sides of the development.

***Mayor Pearson, seconded by Councilmember Fliflet, moved TO APPROVE THE REQUEST FROM ROCKPOINT CHURCH TO EXTEND THE DEADLINE TO SUBMIT A FINAL PLAT RELATED TO HIDDEN MEADOWS 2<sup>ND</sup> ADDITION FOR A PERIOD OF TWO YEARS UNTIL JANUARY 2, 2018. Motion passed 5 – 0.***

**ITEM 16: Sign Variance 8650 Hudson Boulevard**

Planning Director Wensman reviewed the request for a 5 foot height and 4 foot width variance, noting the location and purpose of the larger sign. Wensman also reviewed the Eagle Point Business Park PUD regulations and provided examples of other large signs in the area.

***Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2016-05 APPROVING THE 5 FOOT HEIGHT AND 4 FOOT WIDTH VARIANCE REQUEST AT 8650 HUDSON BOULEVARD TO ALLOW FOR A 35 FOOT HIGH, 16 FOOT WIDE PYLON SIGN AT THE HIGH POINTE MEDICAL CAMPUS.***

Dawn Grant of IRET Properties explained that the proposed location of the sign is due to challenges in the topography. Grant stressed that the variance is necessary to attract and retain

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tenants, adding that they lose tenants regularly due to lack of visibility. Discussion was held concerning the location of the sign, visibility from the road and highway, and potential for customers to use the wrong entrance to the High Pointe Medical Campus.

Melanie Sullivan, 4275 Little Bluestem Trail, spoke as a resident and an employee of St. Croix Orthopaedics in support of the sign variance, explaining the importance to patients in being able to find the clinic and also for the clinic to be successful.

**Motion passed 5 – 0.**

**ITEM 17: Ordinance Amendment to Exempt Essential Services from PF-Public or Semi Public Zoning District**

**ITEM 18: Zoning Map Amendment to Rezone a Parcel from Rural Residential to Public or Semi Public Zoning District**

*Mayor Pearson, seconded by Councilmember Fliflet, moved TO ADOPT ITEMS 17 AND 18 AS PRESENTED. Motion passed 5 – 0.*

**ITEM 19: Inwood Trunk Watermain Improvements – Approve Plans and Specifications; Authorize Ad for Bids**

City Engineer Griffin presented the proposed improvements and projected costs, noting that the project could require three different types of contractors.

*Councilmember Lundgren, seconded by Councilmember Smith, moved TO APPROVE RESOLUTION 2016-04, APPROVING THE PLANS AND SPECIFICATIONS, CALLING HEARING ON IMPROVEMENT, AND ORDERING THE ADVERTISEMENT FOR BIDS FOR THE INWOOD TRUNK WATERMAIN IMPROVEMENTS. Motion passed 5 – 0.*

**ITEM 20: Inwood Water Tower (No. 4) – Approve Plans and Specifications; Authorize Ad for Bids**

City Engineer Griffin reviewed the site location and preliminary design for the water tower. Griffin also reviewed an alternate bid that would include mezzanine space to accommodate telecommunications equipment. Griffin noted that the tower has been designed with the city name painted on two sides of the tank in the same font as Tower 2.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION 2016-03, APPROVING THE PLANS AND SPECIFICATIONS AND ORDERING THE ADVERTISEMENT FOR BIDS FOR THE INWOOD WATER TOWER (No. 4). Motion passed 4 – 1 (Smith – nay).*

Councilmember Smith stated that she supports the project but objects to the location of the tower.

**ITEM 22: Bureau of Mediation Services Process**

Interim Administrator Schroeder recommended that the Council invite the Bureau of Mediation Services to facilitate work on two items by the City Council: meeting management/interaction and agenda setting.

***Mayor Pearson, seconded by Councilmember Bloyer, moved that THE LAKE ELMO CITY COUNCIL OFFICIALLY REQUESTS AND INVITES THE LMC AND/OR THE BMS TO CONTINUE WORKING WITH THE COUNCIL AND CITY STAFF IN AN EFFORT TO IMPROVE THE WORKING DYNAMICS OF SAME; SPECIFICALLY, TO HELP COUNCIL RESOLVE THE ISSUE OF CITY COUNCIL MEETING INTERACTION AND SETTING AGENDAS. Roll Call Vote taken. Motion failed 2 – 3 (Fliflet, Lundgren, Smith – Nay).***

Councilmember Fliflet stated that she is open to BMS coming back in the future but not on these topics. Councilmember Lundgren agreed. Councilmember Smith stated she would entertain inviting BMS after Staff has worked on integrating the Mayors Handbook with the City Ordinance.

**ITEM 23: Council Role in Hiring Process**

Administrator Schroeder reviewed his memo, stating that some City Council Members attend some interviews and noted the guidelines outlined in the City Ordinance regarding personnel in Chapter 31.29.

***Councilmember Bloyer, seconded by Mayor Pearson, moved WITH THE EXCEPTION OF THE CITY ADMINISTRATOR POSITION, INTERVIEWING AND RECOMMENDING CANDIDATES FOR EMPLOYMENT TO THE CITY COUNCIL SHOULD BE MADE BY CITY STAFF. Motion failed 2 – 3 (Fliflet, Lundgren, Smith – Nay)***

Councilmember Fliflet stated she wants to be involved with hiring integral staff members in positions dealing in growth.

**ITEM 12: Approve Northland Securities Proforma Services**

**ITEM 13: Approve TKDA Cost of Service Study for Water and Sanitary Sewer Utilities**

City Administrator Schroeder provided background information on Items 12 and 13 and suggested approving them together.

***Items 12 and 13 approved as presented by unanimous vote.***

**ITEM 14: Approve 2016 Meeting Schedule**

Discussion was held concerning adding a second Council Workshop to the schedule for each month. Councilmember Bloyer suggested leaving it to the Administrator's discretion to add Council Workshops as needed.

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***Councilmember Fliflet, seconded by Councilmember Smith, moved TO ADOPT THE 2016 REGULAR MEETING DATES AS PRESENTED. Motion passed 5 – 0.***

**ITEM 24: Contract for Parliamentarian**

Interim Administrator Schroeder reviewed the proposed contract terms for Parliamentarian services.

***Councilmember Fliflet, seconded by Councilmember Smith, moved TO EXTEND THE CONTRACT WITH KEVIN WENDT AS PARLIAMENTARIAN FOR CITY COUNCIL MEETINGS FOR A PERIOD OF 3 MONTHS ACCORDING TO SCHEDULE 1B OF THE MEMO ATTACHMENT.***

***Councilmember Bloyer, seconded by Mayor Pearson, moved to amend the motion by substitute with a motion TO HIRE MR. WENDT ON A ONE MONTH CONTRACT UNDER SCHEDULE 2 OF THE MEMO ATTACHMENT TO SIT WITH STAFF AND RULE ON POINTS OF ORDER FOR \$160 PER HOUR.***

***Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO LIMIT DEBATE ON THIS ISSUE TO ONE MINUTE PER PERSON. Motion failed 3 – 2 (Pearson, Bloyer – nay).***

**Substitute motion failed 0 – 5. Primary motion passed 3 – 2 (Pearson, Bloyer – Nay).**

Councilmember Bloyer stated he won't support the Parliamentarian contract as it is intended to make the Mayor look bad.

**COUNCIL REPORTS**

**Mayor Pearson:** Spoke at Library Board Meeting, expressed appreciation for Planning Commission comments on the removal of Commissioner Dorschner. Announced a Meet the Mayor event to be scheduled soon and asked about city staff compensation reviews.

**Councilmember Lundgren:** Reviewed resumes for City Administrator candidates, responded to citizen issues.

**Councilmember Bloyer:** Fielded emails regarding the library issue, commended the Planning Commission for standing up on the removal of Commissioner Dorschner and thanked residents for their support.

**Councilmember Smith:** Met with staff, Councilmember Fliflet and Washington County staff regarding the library. Communicated with Washington County Public Works and assisted residents with phone calls and comments.

**Councilmember Fliflet:** Attended a library meeting with Washington County, Library Board Meeting and City Council/Finance Committee joint workshop. Received calls of support for her "no" vote on the BRT and addressed a lot of citizen comments.

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**STAFF REPORTS AND ANNOUNCEMENTS**

**Interim City Administrator Schroeder:** No report.

**City Clerk Johnson:** Reminded the Council and residents that the first City Council meeting in March will be held on Wednesday, March 2<sup>nd</sup> due to Republican Caucuses being held on March 1<sup>st</sup>.

**City Attorney Sonsalla:** Looking forward to working with the City and offering assistance.

**Planning Director Wensman:** Working on railroad crossing closures and the shore land ordinance.

**City Engineer Griffin:** Continuing to work with Washington County on the downtown improvements and reviewing county plans for Manning Avenue and resurfacing project.

Meeting adjourned at 12:02 a.m.

**LAKE ELMO CITY COUNCIL**

ATTEST:

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Mike Pearson, Mayor

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Julie Johnson, City Clerk