

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JANUARY 5, 2016**

CALL TO ORDER

Mayor Pearson 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 Engineer Griffin, Finance Director Bendel, Planning Director Wensman, Fire Chief Malmquist and City Clerk Johnson.

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

Mayor Pearson moved Item 9 to the end of the Agenda. Councilmember Bloyer moved Item 11 to the end of the Agenda. Councilmember Lundgren moved Item 5 to the Regular Agenda. Councilmember Smith removed Item 16 for consideration at a future Council Workshop.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO REMOVE ITEMS 10 AND 11 FROM THE AGENDA AND REFER THEM TO THE HUMAN RESOURCES COMMITTEE. Motion passed 3 – 2 (Pearson, Bloyer – nay).

Agenda adopted as amended.

ACCEPT MINUTES

Minutes of the November 17, 2015 Regular Meeting were discussed. The City Clerk was directed to work with the City Attorney to add further clarification to the discussion regarding the first motion on page 6.

PUBLIC COMMENTS/INQUIRIES

Susan Dunn, 11018 Upper 33rd Street, expressed safety concerns related to the hauling of dirt for the new storm water pond.

Councilmember Bloyer provided an update on the cost of the Parliamentarian.

PRESENTATIONS

None

CONSENT AGENDA

- 2. Approve Payment of Disbursements**
- 3. Designate Official Depositories of Funds; Resolution 2016-01**
- 4. Designate Official Publication Newspaper of Record**
- 6. Reappoint Parks Commissioners**
- 7. Appoint City Engineer**
- 8. Approve Conversion of Part Time Contractor to Part Time Employee**

Consent agenda adopted as presented.

ITEM 13: Gold Line BRT – Resolution 2016-02

Will Schroer of East Metro Strong presented an overview of preliminary route and station locations for the proposed Gold Line Bus Rapid Transit. Potential commercial and residential

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opportunities associated with rapid transit were presented with data from the study conducted at the City's request. Benefits to specific populations were also presented. Jan Lucke, Washington County Transit Planning Manager, reviewed the process and timeline for bringing the project through the planning phase. Lucke also reviewed the Regional Transportation Plan and progression of the eastern end of the plan. Discussion was held concerning Met Council population forecast figures and city control of development around the bus stops.

Susan Dunn, 11018 33rd Street North, expressed concern over the land use around the transit hubs and population forecast numbers.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPROVE RESOLUTION 2016-02 WITH THE ADDITION OF "PROPOSED" TO THE FIRST BULLET POINT UNDER THE 8TH WHEREAS CLAUSE PRIOR TO "MANNING AVENUE PARK AND RIDE." Motion failed 2 – 3 (Fliflet, Lundgren, Smith – nay).

Councilmember Fliflet stated this is not the right fit for this community and stressed maintaining rural character. Councilmember Smith stated this is a 50-100 year decision. Councilmember Lundgren expressed disappointment in not receiving the full study from East Metro Strong and added that BRT will not attract high quality development.

ITEM 14: Appoint Acting Mayor

Mayor Pearson, seconded by Councilmember Bloyer, moved TO NOMINATE COUNCILMEMBER LUNDGREN AS ACTING MAYOR. Councilmember Lundgren withdrew her name as a candidate for Acting Mayor.

Councilmember Smith, seconded by Councilmember Fliflet, moved TO NOMINATE COUNCILMEMBER FLIFLET AS ACTING MAYOR. Motion passed 4 – 0 – 1 (Fliflet – abstain).

ITEM 15: Appoint City Attorney – General Counsel

Interim Administrator Schroeder reported that two responses were received for the RFP for Legal Services.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO RETAIN JOHNSON & TURNER AS THE CITY ATTORNEY.

Motion TO STRIKE "JOHNSON AND TURNER" AND INSERT A BLANK. Motion passed 4 – 1 (Pearson – nay).

Motion TO REPLACE THE BLANK WITH "JOHNSON AND TURNER". Motion failed 2 – 3 (Fliflet, Lundgren, Smith – nay).

Motion TO REPLACE THE BLANK WITH "KENNEDY AND GRAVEN." Motion passed 3 – 2 (Pearson, Bloyer – nay).

Primary motion TO RETAIN KENNEDY AND GRAVEN AS THE CITY ATTORNEY passed 3 – 1 – 1. (Pearson – nay, Bloyer – abstain).

Mayor Pearson stated that City Attorney Snyder has kept the City out of trouble with the League of Minnesota Cities and has provided continuity during staff turnover.

ITEM 11: Appoint City Attorney – Prosecution

Councilmember Smith, seconded by Mayor Pearson, moved TO APPOINT ECKBERG LAMMERS AS CITY ATTORNEY – PROSECUTION. Motion passed 5 – 0.

ITEM 5: Reappoint Planning Commissioners

Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPOINT DALE DORSCHNER TO THE PLANNING COMMISSION FOR AN ADDITIONAL THREE YEAR TERM. Motion failed 2 – 3 (Fliflet, Lundgren, Smith – nay).

Councilmembers Fliflet and Lundgren expressed concern over Mr. Dorschner's behavior on the Commission. Mr. Dorschner stated that he has enjoyed working on the Planning Commission and considers it to be a very productive group.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO REAPPOINT DEAN DODSON TO THE PLANNING COMMISSION. Motion passed 5 – 0.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO REAPPOINT TOM KREIMER TO THE PLANNING COMMISSION. Motion passed 5 – 0.

ITEM 9: Approve Planning Department Staffing Proposal

Interim Administrator Schroeder presented a recommendation to hire City Planner Stephen Wensman as the Planning Director.

Councilmember Smith, seconded by Councilmember Fliflet, moved TO PROMOTE STEPHEN WENSMAN TO PLANNING DIRECTOR AT A SALARY OF \$72,000 PER YEAR AND DIRECT CITY STAFF TO ADVERTISE, INTERVIEW AND RECOMMEND FOR EMPLOYMENT A NEW CITY PLANNER.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO TABLE THIS ITEM TO AN EXECUTIVE SESSION ONE HALF HOUR PRIOR TO THE NEXT MEETING. Motion failed 2 – 3 (Fliflet, Lundgren, Smith – nay).

Primary motion passed 5 – 0.

COUNCIL REPORTS

Mayor Pearson: Met with the Hamlet neighborhood, attended Community Development Director interviews, worked on Library issues, attended Parks Commission meeting. Mayor Pearson congratulated the owners of the Lake Elmo Inn on receiving the Stillwater Chamber of Commerce Business of the Year award.

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Councilmember Fliflet: Attended Community Development Director Interviews, worked on library issues and attended meetings concerning library issues, fielded questions on the library. Worked on internal control policies and received comments on the Parliamentarian.

Councilmember Smith: Attended City Attorney interviews and was impressed with the applicants. Met with the Met Council and Washington County regarding the BRT. Thanked the Parliamentarian for his work with the City.

Councilmember Lundgren: Attended the City Attorney interviews, Community Development Director interviews and spoke with citizens.

Councilmember Bloyer: Attended BRT meetings, received notice regarding an IPAD decision and asked the Administrator to look into the legality of Councilmember Fliflet's motion regarding him. Commented on status of FOIA requests.

STAFF REPORTS AND ANNOUNCEMENTS

Interim City Administrator Schroeder: Held development meetings with developers and worked on a development tracking system, attended meetings on the BRT, met with Councilmembers, thanked staff for help on Budget Book.

City Clerk Johnson: Noted workspace upgrades underway in anticipation of new staff and current needs.

Finance Director Bendel: Received CAFR award designation, working on audit preparation and sending out 3,100 storm water bills and quarterly water bills.

Planning Director Wensman: Working on AUAR update, preparing for a meeting with the DNR regarding the shore land ordinance, and receiving a number of development applications.

City Engineer Griffin: Holding CSAH 13 open house #2 on Thursday at Castle Elementary in Oakdale.

Meeting adjourned at 10:40 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk