

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JULY 5, 2017**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Mike Pearson and Councilmembers Justin Bloyer, Julie Fliflet, Jill Lundgren and Christine Nelson

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Wensman, Sergeant Osterman, and City Clerk Johnson.

APPROVAL OF AGENDA

Item 5, "Tax Abatement Payment for Valley Cartage" was moved to the end of the Regular Agenda.

Councilmember Fliflet, seconded by Councilmember Lundgren moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5 – 0.

ACCEPT MINUTES

Minutes of the May 16, 2017 and June 20, 2017 Regular Meetings were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

Virginia Pleban, 8245 59th Street N., spoke about volunteering and maintenance issues at Kleis Park.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Old Village Ph3 Street & Utility Improvements – Approve Change Order No. 1
4. Royal Golf Zoning Map Amendment – Rezoning Property from PF – Public and Quasi-Public Open Space to Golf Course Community

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

ITEM 6: Lake Elmo Jaycees Special Event Permit for Huff n Puff Days

City Clerk Johnson reviewed the application from the Lake Elmo Jaycees for a special event permit for Huff N Puff days with a request for the City to waive the fees for the permit and ball field lighting.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE SPECIAL EVENT PERMIT AND TEMPORARY ON-SALE LIQUOR LICENSE ISSUED TO THE LAKE ELMO JAYCEES FOR THEIR HUFF N PUFF DAYS EVENT HELD AUGUST 10 THROUGH 13, 2017, SUBJECT TO APPROVAL OF THE DIRECTOR OF MN ALCOHOL AND GAMBLING ENFORCEMENT DIVISION, AND WAIVE THE LIQUOR LICENSE FEE, SPECIAL EVENT PERMIT FEE AND THE FEE FOR LIONS PARK BALL FIELD LIGHTING AS WELL THE CITY PROVIDING SHERIFF DEPUTIES FOR THE EVENT AT NO COST TO THE JAYCEES. Motion passed 5 – 0.

ITEM 7: Donation from Lake Elmo Jaycees

Lake Elmo Jaycees President Mike Slobodnik presented the City with a donation of \$11,400 and announced that the Jaycees are seeking new members.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION 2017-074 ACCEPTING DONATED FUNDS FROM THE LAKE ELMO JAYCEES. Motion passed 5 – 0.

ITEM 8: Southwind Easement Vacation

City Planner Wensman reviewed the history of the property and proposed easement vacation. Wensman also reviewed draft findings and conditions of approval recommended by the Planning Commission.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-069 APPROVING VACATION OF THE EASEMENT AS RECORDED BY WASHINGTON COUNTY ON NOVEMBER 4, 2013 AS DOCUMENT NUMBER 39701798. Motion passed 3 – 1 – 1. (Lundgren – nay; Fliflet – present/not voting)

Councilmember Fliflet stated she did not support the preliminary plat approval and therefore did not vote on this item.

ITEM 9: Southwind Final Plat

Planning Director Wensman reviewed the request for final plat approval for the proposed Southwind Development.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-070 APPROVING THE SOUTHWIND FINAL PLAT WITH THE RECOMMENDED 16 CONDITIONS OF APPROVAL MINUS CONDITION 12. Motion passed 3 – 1 – 1. (Lundgren – nay; Fliflet – present/not voting)

ITEM 10: Southwind Developer Agreement

Planning Director Wensman noted two minor corrections to be made to the Developer Agreement related to the grading security deposit.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-072 APPROVING THE DEVELOPERS AGREEMENT FOR SOUTHWIND OF LAKE ELMO. MOTION PASSED 3 – 2. (Fliflet, Lundgren – present/not voting)

ITEM 11: Hidden Meadows 2nd Addition Final Plat

Planning Director Wensman provided a review of the project history and reviewed the proposed plat and outlots, buffer requirement, and street layout.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO POSTPONE ITEM 11 TO A WORKSHOP. Motion failed 1 – 4. (Pearson, Fliflet, Lundgren, Nelson – nay)

Parkland dedication, street lights and trails were discussed. Wensman reported on Planning Commission review of the application and recommended conditions for approval.

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO SUSPEND THE RULES REGARDING DISCUSSION. Motion passed 5 – 0.

Discussion was held concerning buffers and a neighboring property owner's request for a berm to be installed along their property line.

Mark Gunter spoke on behalf of the applicant, RM Investments, providing comments on the berm/buffers, septic system design and street lighting.

Joan Ziertman, 5761 Keats Avenue North, commented on the buffers, request for a berm and the layout of the proposed development.

Steve Ziertman, 5761 Keats Avenue North, commented on the specific specifications requested regarding the berm.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO DENY RESOLUTION 2017-073 APPROVING THE HIDDEN MEADOWS 2ND ADDITION FINAL PLAT WITH 22 CONDITIONS. Motion failed 1 – 4. (Pearson, Fliflet, Lundgren, Nelson – nay)

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE ADOPT RESOLUTION 2017-073 APPROVING THE HIDDEN MEADOWS PLAT WITH 23 CONDITIONS INCLUDING THE ADDITION OF A CONDITION REQUIRING AN ENCROACHMENT AGREEMENT FOR THE RETAINING WALLS.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION BY AMENDING THE CONDITIONS OF APPROVAL TO REPLACE “LOTS” WITH “25 LOTS”. Motion passed 5 – 0.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO AMEND THE PRIMARY MOTION TO ADD THAT LANDSCAPING AND A BERM BE PROVIDED TO THE PROPERTIES CONTIGUOUS TO THE WESTERN BORDER AS REASONABLY POSSIBLE AND APPROVED BY STAFF. Motion passed 5 – 0.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION TO STRIKE CONDITION 22. Motion failed 1 – 4. (Pearson, Fliflet, Lundgren, Nelson – nay)

Primary motion as amended passed 4 – 1. (Bloyer –nay)

ITEM 12: Lions Park Advertising Policy

City Administrator Handt reviewed the proposal for advertising signage at Lions Park.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2017-071, APPROVING THE INITIAL COSTS OF THE SIGNS TO BE ASSIGNED TO THE LIONS PARK CAPITAL IMPROVEMENT FUND; AND APPROVING COST AND SALES PRICE FOR AND TYPE OF SIGNS TO BE ALLOWED WITHIN LIONS PARK. Motion passed 5 – 0.

ITEM 5: Tax Abatement Payment for Valley Cartage

Discussion held concerning the background and history of the tax abatement agreement for Valley Cartage.

Councilmember Nelson, seconded by Mayor Pearson, moved TO APPROVE A PAYMENT TO NORMAN JAMES LLC IN THE AMOUNT OF \$3,599.15 WHICH REPRESENTS THE PROPERTY TAX ABATEMENT DUE FOR 2017. Motion passed 5 – 0.

COUNCIL REPORTS

Mayor Pearson: Attended LMC Board of Trustees meeting, reported on the 4th of July parade and thanked residents and businesses for their help and donations.

Councilmember Nelson: Commented on the 4th of July parade.

Councilmember Lundgren: Announced that the farmers market has a community board available for posting notices to the public.

Councilmember Bloyer: Commented on the 4th of July parade.

Councilmember Fliflet: Commented on the farmers market and 4th of July parade.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Working on the 2018 budget.

City Clerk Johnson: Announced construction project updates are available to the public on the City's website, Facebook page and in the weekly Fresh electronic newsletter.

City Attorney Sonsalla: Reported on the status of a hazardous building action and Wasatch Storage project.

Planning Director Wensman: Reported on upcoming construction in new developments.

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City Engineer Griffin: Announced CSAH 17/Lake Elmo Avenue open house for property owners abutting the project and a second open house for the public. Currently drafting an RFP for a wellhead protection plan. Reported on plan reviews.

Sergeant Osterman: Reported on upcoming temporary “no parking” zones on Lake Elmo Avenue.

Meeting adjourned at 10:17 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk