

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
AUGUST 21, 2018**

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 Becker, Public Works Director Weldon, Assistant Administrator Foster and City Clerk Johnson.

APPROVAL OF AGENDA

Item 20, "Chicken Ordinance Update" was moved to the Consent Agenda.

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

ACCEPT MINUTES

Minutes of the July 17, 2018 Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll
3. Accept Building Department July 2018 Report
4. Accept Fire Department July 2018 Report
5. Accept Public Works July 2018 Report
6. Reject all Bids on 2018 Mill and Overlay Project – *Resolution 2018-095*
7. Approve Purchase of New Pickup and 1 Ton Truck

8. Approve Well#2 Programmable Logic Controller Upgrade
9. Approve 2018 Crack Seal Project – Pay Request No. 1 (FINAL)
10. Approve 2018 Seal Coat Project – Pay Request No. 1 (FINAL)
11. Approve I-94 Lift Station (No. 1) and Sanitary Sewer Improvements – Pay Request No. 3
– Resolution 2018-096
12. Approve 2018 Street Improvements – Pay Request No. 1
13. Approve Old Village Ph4 Street & Utility Improvements – Pay Request No.
1. Cooperative Maintenance

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

ITEM 14: Introduction of a Motion to Rescind the City Council’s Decision on August 8, 2018 Regarding Resolution 2018-090 Relating to the Legacy at Northstar Final Plat and PUD

Councilmember Bloyer, seconded by Mayor Pearson, moved TO RESCIND THE VOTE ON RESOLUTION NO 2018-090 RELATING TO THE LEGACY AT NORTHSTAR FINAL PLAT AND PUD. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

ITEM 15: Legacy at Northstar Final Plat and PUD

Craig Allen spoke on behalf of the project developer, GWSA, commenting on delays in the approval process.

Matthew Cooper, 3806 Kindred Way, commented on the need for consistent buffers.

Councilmember Bloyer, seconded by Councilmember Nelson, MOVED TO ADOPT RESOLUTION 2018-090 APPROVING THE LEGACY AT NORTH STAR 1ST ADDITION FINAL PLAT AND PUD PLANS WITH RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

ITEM 16: Legacy at Northstar Developer Agreement

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2018-094 APPROVING THE DEVELOPER AGREEMENT FOR LEGACY AT NORTH STAR 1ST ADDITION FINAL PLAT. Motion passed 3 – 1 – 1. (Fliflet, - nay; Lundgren – present/not voting)

ITEM 17: Salt Shed

Public Works Director Weldon reviewed the proposal for construction of a new, larger salt storage shed at the public works facility.

Councilmember Fliflet moved TO DIRECT STAFF TO ACQUIRE BIDS FOR A BUILDING SIMILAR IN LOOK WITH THE CURRENT PUBLIC WORKS BUILDING. Motion died – no 2nd.

Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE AND AWARD CONSTRUCTION TO GRAYSTONE CONSTRUCTION FOR A TOTAL PROJECT COST NO TO EXCEED \$150,000. Motion passed 4 – 1. (Fliflet – nay)

ITEM 18: 2019 Street and Utility Improvements – Authorize Feasibility Report

City Engineer Griffin presented the anticipated scope of improvements for the 2019 Street and Utility Improvements project as outlined in the City's five year Capital Improvement Plan.

Councilmember Nelson, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION NO. 2018-097, ORDERING PREPARATION OF A FEASIBILITY REPORT FOR THE 2019 STREET AND UTILITY IMPROVEMENTS TO BE COMPLETED BY FOCUS ENGINEERING, INC. IN THE NOT TO EXCEED AMOUNT OF \$6,800. Motion passed 5 – 0.

ITEM 19: PUD Ordinance Update

Planning Director Becker provided a review of the proposed updates to the PUD ordinance that would improve the application process and make it consistent with the City's recently adopted Open Space Development PUD Ordinance.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO REMAND THE CURRENT ITEM TO THE PLANNING COMMISSION FOR FURTHER DISCUSSION.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO BRING THE CURRENT ITEM TO A FUTURE CITY COUNCIL WORKSHOP. Motion passed 3 – 2. (Bloyer, Nelson – nay)

Primary motion passed 3 – 2. (Bloyer, Pearson – nay)

ITEM 20: Chicken Ordinance Update

Planning Director Becker reported on research conducted at the direction of the City Council, stating that there is no conclusive evidence that keeping chickens attracts predators.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO ADOPT ORDINANCE 08-216 AMENDING CHAPTER 95 KEEPING OF CHICKENS. Motion passed 3 – 2. (Pearson, Nelson – nay)

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Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO ADOPT RESOLUTION 2018-087 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-216. Motion passed 5 – 0.

ITEM 21: Performance Based Pay

Assistant Administrator Foster presented the proposed plan as recommended by the Human Resources Committee.

Councilmember Lundgren, seconded by Mayor Pearson, moved TO APPROVE RECOMMENDED CHANGES TO THE COMPENSATION POLICY. Motion passed 4 – 1. Bloyer – nay)

COUNCIL REPORTS

Mayor Pearson: Discussions with HOA members.

Councilmember Nelson: No report

Councilmember Lundgren: Thanked Washington County Sheriff Department for conducting K-9 demonstration at the farmers market.

Councilmember Bloyer: No report

Councilmember Fliflet: No report

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Met with state agency partners regarding closing of well #1 and attended second 3M work group meeting. Noted frequent well alarms recently due to irrigation system demands on the water system.

City Attorney Sonsalla: Reviewing documents for Legacy at North Star and Boulder Ponds, preparing amicus brief.

Meeting adjourned at 8:52 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk