

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
APRIL 4, 2023**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Charles Cadenhead and Councilmembers Katrina Beckstrom, Matt Hirn, Jeff Holtz and Lisa McGinn.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Public Works Director Powers, Assistant Public Works Director Swanepoel, Contract Planner Fuerst, City Planner Jensen and City Clerk Johnson

APPROVAL OF AGENDA

Councilmember McGinn, seconded by Councilmember Holtz, moved TO MOVE ITEM 6, “MORATORIUM ORDINANCE” TO THE REGULAR AGENDA. Motion passed 5 – 0. .

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

ACCEPT MINUTES

Councilmember McGinn, seconded by Councilmember Beckstrom moved TO ACCEPT THE MINUTES OF THE MARCH 14, 2023 WORKSHOP AND MARCH 21, 2023 REGULAR AND SPECIAL CITY COUNCIL MEETINGS AS PRESENTED. Motion passed 5 – 0.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

None

CONSENT AGENDA

3. Approve Payment and Disbursements
4. Approve Special Event Permit for National Night out – August 1, 2023
5. PUD Ordinance Text Amendment – *Ordinance 2023-08; Resolution 2023-034*
6. Approve Termination of Moratorium – *Ordinance 2023-09*
7. Approve Change Order #1 for 2022 Tandem Plow
8. Approve MPCA Grant for Parkview Cardinal Ridge Amendment #1
9. Approve Hire of Finance Director

10. Approve SAC Determination Text Amendment – *Ordinance 2023-07; Resolution 2023-036*
11. Approve Abatement for PID 3402921410029 – *Resolution 2023-028*
12. Approve Closing Unused funds and Transfers to Close Funds – *Resolution 2023-029*
13. Approve Release Warranty Security Lake Elmo Senior Living (Independent Living)
14. Approve Bulk Meter Order

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

ITEM 6: Termination of Moratorium

City Administrator Handt discussed the City’s interim ordinance and water appropriation issues.

Councilmember Holtz, seconded by Councilmember McGinn, moved TO ADOPT ORDINANCE NO.2023.027- AN ORDINANCE TERMINATING THE MORATORIUM DECLARED BY ORDINANCE NO. 2022-03 THAT IMPOSED A MORATORIUM ON PLATTED DEVELOPMENT WITHIN THE WATER SYSTEM LOW PRESSURE ZONE. Motion passed 5 – 0.

ITEM 15: 10755 50th St. CEF Solar Farm Conditional Use Permit

City Planner Jensen reviewed proposed updates to the proposed landscaping requirements. Applicant Dan Grantier presented a visual representation of the updated fencing plan with screening fabric along the top four feet of the fence and additional trees around the perimeter. Discussion held regarding the effectiveness of the screening plan.

Councilmember Hirn, seconded by Councilmember Holtz, moved TO ADOPT RESOLUTION 2023-021 APPROVING A CONDITIONAL USE PERMIT (CUP) AS REQUESTED BY CEF LAKE ELMO COMMUNITY SOLAR, LLC FOR THE CONSTRUCTION AND OPERATION OF A SOLAR FARM ON THE PROPERTY LOCATED AT 10755 50TH STREET N WITH THE LISTED CONDITIONS BASED ON THE FINDINGS LISTED IN THE STAFF REPORT. Motion passed 4 – 1. (Beckstrom opposed)

ITEM 16: Final Assessment Hearing: Adopt Final Assessment Roll for Old Village Phase 7 Street and Utility Improvements

City Engineer Griffin reviewed the project schedule, bids received, final unit assessments and assessable properties.

Councilmember McGinn, seconded by Councilmember Holtz, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.

Mike Jara, 2971 Legion Avenue North, asked about the dates for the construction.

Councilmember McGinn, seconded by Councilmember Hirn, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.

Councilmember Hirn, seconded by Councilmember McGinn, moved to adopt Resolution No. 2023-030 Adopting the Final Assessment Roll for the Old Village Phase 7 Street and Utility Improvements. Motion passed 5 – 0.

ITEM 17: Accept Bids and Awards a Contract for Old Village Phase 7 Street and Utility Improvements

City Engineer Griffin reviewed the bids received and recommended awarding the contract to the low bidder, Minger Construction.

Councilmember McGinn, seconded by Councilmember Holtz TO APPROVE RESOLUTION NO. 2023–031, ACCEPTING BIDS AND AWARDING A CONTRACT TO MINGER CONSTRUCTION COMPANY FOR THE BASE BID AND ALTERNATE B IN THE AMOUNT OF \$2,296,658.75 FOR THE OLD VILLAGE PHASE 7 STREET AND UTILITY IMPROVEMENTS.

Councilmember McGinn, seconded by Councilmember Hirn, moved TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A MATERIAL TESTING CONTRACT FOR PROJECT CONSTRUCTION SERVICES IN THE NOT-TO-EXCEED AMOUNT OF \$28,000 AND A CONSTRUCTION SERVICES CONTRACT WITH SEH IN THE AMOUNT OF \$235.700 FOR THE OLD VILLAGE PHASE 7 STREET AND UTILITY IMPROVEMENTS.

ITEM 18: 2621 Innsdale Ave Variance

City Planner Jensen presented the request for a variance to allow for expansion of an existing home at 2621 Innsdale Avenue N. Applicant Bryant Olson added that setbacks have changed over the years and now most homes in the neighborhood are nonconforming.

Councilmember Holtz, seconded by Councilmember Hirn, moved TO APPROVE THE VARIANCE REQUEST TO REDUCE FRONT AND SIDE YARD SETBACK REQUIREMENTS OF THE RESIDENTIAL ESTATE ZONING DISTRICT FOR THE PROPERTY LOCATED AT 2621 INNSDALE AVE N WITH THE CONDITIONS OF APPROVAL LISTED IN THE STAFF REPORT. Motion passed 5 – 0.

ITEM 19: Minor Subdivision – Frisbie Companies

Contract Planner Nathan Fuerst reviewed the site area and layout of the two new parcels that would be created with the subdivision. Planner Fuerst also reviewed Planning Commission comments and proposed conditions of approval.

Applicant Matt Frisbie provided a summary of the project and anticipated use of the lots after the subdivision. Discussion was held regarding water supply issues.

Councilmember Holtz, seconded by Mayor Cadenhead, moved TO TABLE AND SEND THE APPLICATION A NOTICE OF 60 DAY EXTENSION. Motion passed 5 – 0.

ITEM 20: Donation From Capra Utilities

Public Works Director Powers reported that the City has received a donation from Capra Utilities to provide connection from the City Hall building to the public sewer system.

Councilmember Holtz, seconded by Councilmember Hirn, moved TO ADOPT RESOLUTION 2023-033 ACCEPTING A DONATION FROM CAPRA UTILITIES. Motion passed 5 – 0.

ITEM 21: Baseball Field Improvements

Assistant Public Works Director Swanepoel presented options for baseball field improvements at several parks in the city to increase capacity for recreational baseball in city parks. Discussion held regarding baseball and soccer usage at the parks and the potential to add fields.

Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO APPROVE AUTHORIZING AN RFP FOR RIDGE AND PEBBLE PARK BASEBALL FIELD IMPROVEMENTS.

Mayor Cadenhead, seconded by Councilmember Hirn, moved TO ADD AN ALTERNATE TO THE RFP FOR BASEBALL FIELD IMPROVEMENTS AT REID PARK. Motion passed 5 – 0.

Primary motion passed 5 – 0.

ITEM 22: New City Dog Park and Rules

Assistant Public Works Director Swanepoel reviewed the proposed location and additions to the area to accommodate a dog park on city owned property near Fire Station #2 at 4295 Jamaca Avenue N.

Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO APPROVE A CITY DOG PARK AND THE ATTACHED RULES BE IMPLEMENTED USING THE EXISTING PROPERTY AT 4295 JAMACA AVE. N..

Councilmember McGinn, seconded by Councilmember Hirn, moved TO INCLUDE A FENCED SMALL DOG AREA, DOUBLE GATED SAFETY ENTRANCE AND HAVE WATER AVAILABLE. Motion passed 5 – 0.

Primary motion passed 5 – 0.

ITEM 23: 2023-2024 Work Plan

City Administrator Handt reviewed the five goals identified as priorities at the March work session and incorporated into a resolution for Council consideration.

Councilmember Hirn, seconded by Councilmember McGinn, moved TO ADOPT RESOLUTION 2023-035: A RESOLUTION RELATED TO 2023-2024 SHORT TERM GOALS. Motion passed 5 – 0.

COUNCIL REPORTS

Councilmember Beckstrom: Thanked Public Works for their response to the weekend storm.

Councilmember Holtz: Reported on school district 834 facilities meeting.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Noted Valley Branch Watershed District landlocked basins open house is scheduled for April 5th.

Public Works Director Powers: Provided a snow plowing update.

Meeting adjourned at 10:07 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Charles Cadenhead, Mayor

Julie Johnson, City Clerk