

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
JULY 17, 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, Finance Director Iverson, Public Works Director Weldon and City Clerk Johnson.

**APPROVAL OF AGENDA**

Item 26 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 June 19, 2018 and July 3, 2018 Regular Meetings were approved as presented.

**PUBLIC COMMENTS/INQUIRIES**

None

**PRESENTATIONS**

None

**CONSENT AGENDA**

2. Approve Payment of Disbursements and Payroll
3. Accept Building Department June 2018 Report
4. Accept Fire Department June 2018 Report
5. Accept Public Works June 2018 Report
6. Approve Engineering Task Order- MnDOT Bridge Inspection and Enrollment Program
7. Approve Private Development Security Reduction – Boulder Ponds 5th Street.
8. Approve Parking Restriction Changes on Lake Elmo Ave - *Resolution No. 2018-072*
9. Approve Disposal of Public Works Surplus Equipment
10. Approve Appointment of Election Judges for 2018 Primary and General Elections – *Resolution 2017-073*
11. Accept Part Time Firefighter Resignation
12. Authorize Membership in the 4M Fund – *Resolution 2018-071*

26. Approve Water Meter Change Out

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

**ITEM 13: Wyndam Village Preliminary Plat and Zoning Map Amendment**

Planning Director Becker reviewed the application for a ten unit single family detached development.

*Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT ORDINANCE 08-212 APPROVING THE PROPOSED ZONING MAP AMENDMENT TO REZONE THE 11280 30<sup>TH</sup> STREET NORTH FROM RURAL SINGLE FAMILY TO VILLAGE URBAN LOW DENSITY RESIDENTIAL. Motion passed 5 – 0.*

*Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2018-066 APPROVING THE WYNDAM VILLAGE PRELIMINARY PLAT SUBJECT TO RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL. Motion passed 3 – 1-1. (Fliflet – nay; Lundgren – present) Councilmember Fliflet stated she did not support the motion because she feels it would be an extension of the neighboring Northport development that she did support.*

**ITEM 14: Wildflower PUD Amendment – Public Hearing**

Planning Director Becker reviewed the request to reconsider the PUD amendment approved on June 6, 2017 to address impervious surface limits, setbacks and driveway locations.

*Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

Dennis Bol, 11319 Wildflower Drive, commented on his situation and requested approval of the PUD amendment.

*Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.*

*Councilmember Nelson, seconded by Councilmember Fliflet, moved TO ADOPT RESOLUTION 2018-074a APPROVING WILDFLOWER AT LAKE ELMO PLANNED UNIT DEVELOPMENT PUD AMENDMENT. Motion withdrawn*

*Mayor Pearson, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2018-074 APPROVING THE WILDFLOWER AT LAKE ELMO PLANNED UNIT DEVELOPMENT PUD AMENDMENT.*

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO APPLY THE PUD AMENDMENT TO PHASES 1, 2 AND 3. Motion failed 2 – 3. (Pearson, Bloyer and Nelson – nay)*

Primary motion passed 3 – 2. (Fliflet, Lundgren – nay)

**ITEM 15: Eagle Point Blvd. Street Improvements – Assessment Hearing, Adopt Final Assessment Roll**

City Engineer Griffin presented the proposed final project costs and proposed final assessment roll.

*Councilmember Nelson, seconded by Councilmember Lundgren, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

No comments were received from the public.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE RESOLUTION NO. 2018-075; ADOPTING THE FINAL ASSESSMENT ROLL FOR THE EAGLE POINT BOULEVARD STREET IMPROVEMENTS. Motion passed 5 – 0.*

**ITEM 16: Wellhead Protection Plan Phase 2**

Public Works Director Weldon presented Phase 2 of the Wellhead Protection Plan.

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

Dale Dorschner, 3150 Lake Elmo Avenue, encouraged the Council to approve the plan to show dedication to protecting water resources.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.*

*Councilmember Bloyer, seconded by Councilmember Nelson, moved TO TABLE THE CURRENT ITEM. Motion failed 1 – 4. (Pearson, Fliflet, Lundgren, Nelson – nay)*

*Mayor Pearson, seconded by Councilmember Bloyer, moved TO TABLE THE CURRENT ITEM TO JULY 24<sup>TH</sup>, 6:00 P.M. Motion passed 4 – 1. (Fliflet – nay)*

**ITEM 17: School Bus Terminal – Zoning Text Amendment, Preliminary and Final Plat, Zoning Map Amendment and Conditional Use Permit at 11530 Hudson Blvd. N.**

Planning Director Becker reviewed the request for a 15.77 acre commercial development to include a park and ride and other commercial development at the corner of 11530 Hudson Boulevard North.

Applicant Brian Zeller outlined the benefits to the City in park dedication fees and public infrastructure.

*Councilmember Lundgren, seconded by Councilmember Nelson, moved TO ADOPT ORDINANCE . 08-214 APPROVING THE REQUEST FROM STILLWATER AREA PUBLIC SCHOOLS FOR A ZONING MAP AMENDMENT TO REZONE LOT 1, BLOCK 1, FOUR CORNERS FROM RURAL DEVELOPMENT TRANSITIONAL TO BUSINESS PARK, SUBJECT TO RECOMMENDED CONDITION OF APPROVAL. Motion passed 5 – 0.*

*Councilmember Lundgren, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2018-076 APPROVING THE REQUEST FROM TERRY EMERSON FOR THE FOUR CORNERS PRELIMINARY AND FINAL PLAT TO SUBDIVIDE THE PROPERTY LOCATED AT 11530 HUDSON BLVD N IN TO LOT 1, BLOCK 1, FOUR CORNERS, ALONG WITH THREE SEPARATE OUTLOTS, SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 5 – 0.*

*Mayor Pearson, seconded by Councilmember Nelson, moved TO ADOPT ORD. 08-215 APPROVING THE REQUEST FROM STILLWATER AREA PUBLIC SCHOOLS FOR A ZONING TEXT AMENDMENT TO ALLOW LOCAL TRANSIT AS A CONDITIONAL USE WITHIN THE BUSINESS PARK ZONING DISTRICT. Motion passed 5 – 0.*

*Councilmember Lundgren, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2018-077 APPROVING THE REQUEST FROM STILLWATER AREA PUBLIC SCHOOLS FOR A CONDITIONAL USE PERMIT TO ALLOW A SCHOOL DISTRICT TRANSPORTATION CENTER AT THE PROPERTY LOCATED AT LOT 1, BLOCK 1, FOUR CORNERS WITH THE CONDITIONS AS RECOMMENDED BY STAFF/WITH THE AMENDED CONDITIONS OF APPROVAL.*

*Councilmember Lundgren, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION TO ADD A CONTRIBUTION OF A \$150,000 ONE TIME PAYMENT AND 25% OF THE COST OF THE TRAFFIC LIGHT. Motion passed 5 – 0.*

Primary motion passed 5 – 0.

**ITEM 18: Four Corners 2<sup>nd</sup> Addition General PUD at 11530 Hudson Blvd. N.**

Planning Director Becker reviewed the application for a PUD concept plan for a 15.77 acre commercial site including a park and ride.

Pat Jones, Metro Transit, addressed questions regarding security at the park and ride.

Barry Weeks, 3647 Lake Elmo Avenue North, commented on development in the I-94 area, stating he would like to see some development to help increase tax base.

Lisa McGinn, Public Safety Committee Member, commented that Metro Transit has an excellent police force.

Councilmember Fliflet commented on the loss of tax base and wants something other than a parking lot in that location. She stated she is not convinced there is a need and would not support the application.

***TO ADOPT RESOLUTION 2018-080 APPROVING THE FOUR CORNERS 2<sup>ND</sup> ADDITION PUD CONCEPT PLAN AS REQUESTED BY TERRY EMERSON FOR THE SOUTHWEST CORNER OF 11530 HUDSON BOULEVARD WITH RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 4 – 1. (Fliflet – nay)***

**ITEM 19: CSAH15/CSAH14 Realignment Additional Work to Realign City Watermain**

City Engineer Griffin presented an update on the project and a conflict that has come up regarding the current location of a water main that will need to be relocated.

*Councilmember Lundgren left the meeting*

**ITEM 20: Northport 2<sup>nd</sup> Addition Final Plat**

Planning Director Becker presented the final plat plan for 29 single family homes, reviewed the engineer's comments and recommended conditions of approval.

***Councilmember Nelson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2018-081 APPROVING THE NORTHPORT 2<sup>ND</sup> ADDITION FINAL PLAT***

**WITH THE CONDITIONS OF APPROVAL AS DRAFTED BY STAFF.** Motion passed 3 – 1. (Fliflet – nay)

**ITEM 21: Northport 2<sup>nd</sup> Addition Development Agreement**

Planning Director Becker noted that there would be no grading security required for the 2<sup>nd</sup> Addition Development Agreement.

***Councilmember Nelson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2018-082 APPROVING THE NORTHPORT 2<sup>ND</sup> ADDITION DEVELOPMENT AGREEMENT WITH CONDITIONS.*** Motion passed 3 - 0 – 1. (Fliflet – present/not voting)

**ITEM 22: Verizon Monopole – Conditional Use Permit and Variance at 11351 Upper 33<sup>rd</sup> Street North**

Planning Director Becker reviewed the request and recommended conditions of approval.

Carrie O'Brien spoke on behalf of the applicant, addressing concerns regarding aesthetics.

***Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2018-083 APPROVING THE REQUEST FROM VERIZON WIRELESS FOR A CONDITIONAL USE PERMIT TO INSTALL A NEW 125-FOOT TELECOMMUNICATIONS TOWER WITH 9-FOOT LIGHTNING ROD ON THE SITE PROPERTY LOCATED AT 11351 UPPER 33RD STREET NORTH WITH RECOMMENDED CONDITIONS OF APPROVAL AND APPLICANT PROVIDING A LANDSCAPE PLAN AS NEEDED.*** Motion passed 4 – 0.

***Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2018-084 APPROVING THE REQUEST FROM VERIZON WIRELESS FOR A VARIANCE FROM THE MAXIMUM HEIGHT REQUIREMENT, MINIMUM SETBACK REQUIREMENT, AND CONDITIONAL USE PERMIT AND VARIANCE EXPIRATION DATES.*** Motion passed 4 – 0.

**ITEM 23: Verizon Leases**

Administrator Handt provided a brief overview of the two leases with Verizon for cell phone equipment placement at the water tower site.

*Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE THE WATER TOWER LEASE AGREEMENT AND LAND LEASE AGREEMENT WITH VERIZON WIRELESS. Motion passed 4 – 0.*

**ITEM 24: Demontreville Park Improvements**

Public Works Director Weldon reviewed proposed improvements for Demontreville Park baseball fields.

*Mayor Pearson, seconded by Councilmember Fliflet, moved TO TABLE TO THE NEXT CITY COUNCIL MEETING WHILE STAFF HAS DISCUSSIONS REGARDING COST PARTICIPATION WITH MAHTOMEDI BASEBALL AND OTHER ENTITIES. Motion passed 4 – 0.*

**ITEM 25: Comp Plan Change Order**

Planning Director Becker explained the request for Council to approve an overage in the Comprehensive Plan project to compensate Swanson Haskamp for additional services provided.

*Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE AN OVERAGE OF \$3,217.50 TO SWANSON HASKAMP CONSULTING. Motion passed 3 – 1. (Fliflet – nay)*

**COUNCIL REPORTS**

**Mayor Pearson:** Thanked resident volunteers

**Councilmember Bloyer:** Thanked resident volunteers for their work at Lions Park

**Councilmember Fliflet:** Announced National Night Out event at Lions Park

**STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** Noted the next City Council Meeting will be on August 8<sup>th</sup> due to National Night Out.

Meeting adjourned at 11:20 pm.

Respectfully submitted:

  
Julie Johnson, City Clerk