

MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 19, 2005

The City Council of Medina, Minnesota met in regular session on April 19, 2005 at 7:01 p.m. in the City Hall Chambers. Mayor Workman presided.

I. ROLL CALL

Members present: Smith, Cavanaugh, Brinkman, Weir, and Workman.

Members absent:

Also present: City Attorney Ron Batty, City Engineer Tom Kellogg, Public Works Director Jim Dillman, Police Chief Ed Belland, City Planner Rose Lorsung, City Planner Consultant Sarah Schield, City Administrator Chad Adams and Recording Secretary Liza Weniger.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

*Moved by Weir, seconded by Smith, to approve the agenda as presented. **Motion passed unanimously.***

IV. APPROVAL OF MINUTES

A. Approval of the March 29, 2005 Special Council Meeting Minutes

It was noted on page 2, the fifth paragraph should state: "Batty provided a summary of the Council discussion, with two Councilors (Brinkman and Smith) opposed to using TIF and three Councilors (Weir, Workman, Cavanaugh) in favor, but under certain conditions."

*Moved by Cavanaugh, seconded by Weir, to approve the March 29, 2005 Special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the April 5, 2005 Regular Council Meeting Minutes

It was noted on page 8, the second line of the third paragraph should state: "...she is concerned that a retaining wall would have to be built ~~about the lack of retaining walls if~~ Highway 55...".

It was noted on page 9, the word "aerial" should be struck and replaced with the word "area" in the ninth paragraph.

It was noted on page 9, the first line of the tenth paragraph should state: "...and landscaping variety off-site on the Cherry Hills Properties."

It was noted on page 10, the last line of the fourth paragraph should state: "...already in place immediately to the west."

Moved by Weir, seconded by Cavanaugh, to approve the April 5, 2005 Regular City Council meeting minutes as amended. **Motion passed unanimously.**

C. Approval of the April 6, 2005 Board of Equalization and Appeals

Moved by Smith, seconded by Brinkman, to approve the April 6, 2005 Board of Equalization and Appeals minutes as presented. **Motion passed unanimously.**

V. CONSENT AGENDA

A. Approve Alcohol Policy for Hamel Community Building

B. Approve Lawn, Grounds and Snow Removal Services agreement with Sunburst Lawn and Snow

C. Resolution Relinquishing assessment for Kearin Parcel

D. Approve Raffle Permit to Rotary Club of Crystal, New Hope, Robbinsdale for June 6, 2005 at Rolling Green Country Club

E. Resolution Declaring Adequacy of Petition for Park Ridge Acres

Moved by Smith, seconded by Weir, to approve the Consent Agenda. **Motion passed unanimously.**

VI. COMMENTS

A. Comments from Citizens on Items Not on the Agenda

Mary Baran, City of Independence resident at 4825 Broadmor Drive, stated that she is requesting answers in regard to the Park Ridge Acres development which is being built at the end of Townline Road. Her and her husband have contacted staff and Council members in the past and would like clarification on a few of their concerns. She asked if the road is going to be built at the end of June and if the City of Independence had been notified of the development.

Workman stated yes. Baran asked if there was a policy to renotify the City once the project is approved. Adams stated that by statute, the only requirement is to publish legal notice for preliminary plat, which occurred in June 2000. Area Cities were provided with Comprehensive Plan changes and an opportunity to respond in October 1999. By ordinance requirement, the City is required to send notices to area properties within 300', which also occurred in June 2000. Baran asked if Adams had record of the proper notifications.

Baran asked how Townline Road would be financed and stated that she is concerned on whether the road would be able to handle all the new traffic. Adams stated that a final conclusion has not been made on the financing, however, the developer of Park Ridge Acres has volunteered five thousand dollars per unit as an escrow contribution to the road reconstruction as needed.

Baran asked which city would be in charge of taking care of the fire/police for the safety of the residents. Belland stated that the City of Medina would still be responding to the development as the area is still within the City of Medina.

Baran stated that she has heard many variations on the building of Townline Road. Adams stated there has been no formal desire of the County to make Townline Road a County road in the near future. The plan is to keep the road as is. The staffs of each City have discussed a right out on to Highway 12, but have not reached consensus.

Baran asked how many years of construction traffic would take place for construction of the twenty-three units. Adams stated less than a four-year period of time is anticipated.

Workman encouraged Baran to talk to Lorsung to during the week. Baran stated she has been contacting the City of Independence and Medina since February and has not received answers at this point. Adams explained the levels of staff communications that have taken place with Baran's husband and other concerned residents of Orono and Independence. Adams offered to answer any outstanding questions.

Smith stated that she understands Baran's concern, but generally a neighboring city does not negate the plans and development of a neighboring plan.

Smith recommended that Baran make an appointment with Adams to get her answers.

Mark Bryant, Fortin Hardware of Uptown Hamel, stated that he came to the meeting to present letters from other business owners forwarding their concerns in regard to the Ryan Companies/Target Corporation project and its impact on Uptown Hamel.

Diana Lindsley, operating agent for the Hamel Community Building, stated that she wanted to know what the liquor policy would be for the facility. Adams stated that the policy reads that a restriction to 3/2 beer and wine will be effective beginning January first of 2006. Hard liquor will be allowed until that time, but will be reviewed again in October of 2005 and monitored to determine whether to keep it as a policy.

B. Park Commission

Dillman stated the Park Commission would start to discuss a capital improvement plan.

Smith stated she has talked to the Chair today to decide whether the Park Commission would extend the pavement of the parking lot. No consensus has been made to extend the parking lot.

C. Planning Commission

Lorsung stated that nothing is formally planned for the next agenda. Staff may meet with Ryan Companies other projects as continuous review. The Uptown Hamel study may also be looked at again. Lorsung stated that no definite timelines have been made on the Cudd and Bradley projects.

VI. OLD BUSINESS

A. City of Independence Request for Sewer Units

Adams stated that staff has met with the City of Independence to clarify amendments to the Tri-City agreement, allowing Independence to receive seventy-five additional sewer units. Adams presented a map via overhead that highlighted some of the improvements.

Dillman reviewed his memo by providing background and clarification on the changes. Staff is seeking Council direction to prepare the amendments to the Tri-City Agreement.

Adams stated that staff was also requested to discuss water quality improvements of Lake Independence with Independence staff. Staff has been provided with the Independence I/I plan and is under review. Dan Koch, Public Works Director for Independence, has provided a memo and map that highlights some improvements.

Koch outlined priority areas for sewer, as well as the secondary and third priority areas.

Smith asked why the area of existing homes north of the lake (where it meets County Road 11) was second in priority. Koch stated that the lots are quite large and would be costly to facilitate new sewer. Workman asked if any of the areas around Lake Independence have been tested for sewer seepage. Koch stated no. Workman stated that he thinks it is prudent to have some testing done on both sides of lake.

Smith stated she had heard that both Camp Iduhapi and Vinland Properties have septic systems that are not in good condition and should be inspected.

Workman asked what Medina's ultimate capacity was to help Independence with sewer. Dillman stated that Medina is at less than 50% capacity.

Marvin Johnson, Mayor of Independence, stated he is present at tonight's meeting to address questions relating to their efforts to improve water quality on Lake Independence. Johnson stated only half of properties have their own mound system.

Johnson stated Independence's third priority for sewer is a large tract of farmland, which may go to a development and would remove a horse stable from the City. The development would be a major improvement for water quality. Smith stated that she would like Medina to require as a condition that all properties with septic systems along Lake Independence be tested for seepage.

Workman stated that from what Dillman has stated, if Medina has the capacity to help the City of Independence, then Medina would do that.

Weir asked if Camp Iduhapi should be tested as well. Cavanaugh stated that he is in support of testing septic systems for maximum usage.

Moved by Smith, to authorize staff to prepare the Tri-City agreement, and move forward in negotiations with the understanding that the City of Medina and Independence test all septic systems in operation around Lake Independence.

David Applehoff, member of LICA, stated that LICA fully supports and highly recommends the motion Smith is making.

Workman stated that Medina is willing to increase the unit request.

Weir seconded the motion.

Workman asked what authority Medina would have to test the affected land areas. Loren Kohnen, City Code and Building Inspector stated that staff would have to inform the residents and request permission to have their septic systems tested.

Smith asked that a condition be added that would state, "if additional hook-ups are needed, then an allocation would be made at that time".

Motion passed unanimously.

B. Grounds and Maintenance Agreement with Hamel Athletic Association

Adams stated that this item was pulled from the consent agenda at the last meeting as it was not ready for approval. Adams stated was still attempting to negotiate the compensation for 2005 (\$4,000 in the agreement).

Adams stated that through this contract and allocation, the City will have more control over mowing and grounds services. Capital purchases should be requested separately.

Workman asked how the item was handled in the past and asked if the item should be forwarded to the Park Commission. Adams stated that the request for fencing is more of a capital issue, not a maintenance issue. Workman asked if the funding should be coming out of the park dedication fund.

Weir stated that she felt it would be sensible to use the park dedication fund.

Adams stated that with a consensus up to 2,500 dollars could be allocated, contingent on Park Commission approval. Smith stated she agreed with the dollar amount.

*Moved by Smith, seconded by Weir, to approve the Grounds and Maintenance Services Agreement and up to \$2500 in park dedication funds for the fences. **Motion passed unanimously.***

C. Uptown Hamel Transportation Plan

Adams stated that the staff memo and revised map from Lorsung demonstrates staff's recommendation for approval. Staff is seeking direction from the Council to initiate a Comprehensive Plan Amendment change that will incorporate the plan as part of Medina's Comprehensive Plan. Limited review is needed by the Metropolitan Council for this type of request.

Weir asked if the Legion has been consulted and if they are happy. Smith stated that the Legion was present at the Board of Equalization Meeting and has stated their support of the plan.

Adams stated that the Transportation Plan is essentially an outline for developers of what may happen in Medina's future.

Lorsung stated she has spoke with Metropolitan Council and stated this agenda item may perhaps return May 17, 2005 after further discussions with Metropolitan Council.

*Moved by Smith, seconded by Weir, to authorize staff to prepare the Comprehensive Plan Amendment change that will incorporate the plan as part of Medina's Comprehensive Plan. **Motion passed unanimously** (Cavanaugh abstained).*

VIII. NEW BUSINESS

A. Ryan Companies US, Inc. – Request for Approval of a Rezoning to PUD, PUD General Plan, and Preliminary Plat for a Retail Development (including Target)

1. Review of Conditions for Preliminary Plat Approval, Rezoning to PUD

Adams stated that staff has prepared a revised list of conditions upon meeting last week

to clarify amongst themselves the items included by the Council on April 5, 2005 and to discuss with the developer pertaining to what items have been accomplished to date.

Schild also provided a list to the Council that uses the strikethrough/underline method that illustrates the exact changes proposed for revision. Schild has also included comments that detail why changes were made. Staff is seeking Council discussion on any necessary comments for revision.

Schild stated that condition number 18 will require some of its language to be removed because essentially the requirements may change after further discussions with MnDOT.

Smith stated that she feels the language should stay as-is. Workman stated that the City wants the language to be less specific in order to allow MnDOT to make the ultimate decision. He stated that he would like to trust MnDOT to make the proper decisions relating to this development.

Brinkman asked how the involved parties could work together to make sure that the highway moves forward and that the traffic is not slowed due to construction.

Workman stated that by leaving the plans to MnDOT, Medina will trust that MnDOT will take care of traffic and construction concerns.

Workman stated Medina needs a condition stating the Ballroom must close both accesses. Smith stated that is not how she reads the resolution.

Cavanaugh stated it was his understanding that by taking the language out of the condition, Medina is simply saying that the discretion is being left to MnDOT. Workman stated yes.

Adams stated that up until this point, the developer has been driving the discussions on traffic intersection improvements. Medina is looking to see what the MnDOT group will add value-wise to the discussion. The City is now driving the process. Brinkman stated that he agrees with what Adams stated and that the City needs to take a closer examination of this.

Bob Raskob, co-owner of Medina Ballroom, stated that in the fifty years of being in business, he has concerns for each of the five types of his businesses that could be affected by the closure of the driveways. There is a bowling alley, bar, motel, banquet room, and game room that would be affected by the closure of the east driveway which is used quite extensively.

Smith stated that the driveway exits are located close to a stoplight.

Workman stated that to leave the decision to MnDOT is the wisest decision. Cavanaugh stated that MnDOT will go as far as they want to go in their determination, and the City can make minimum requirements from there.

Raskob proposed leaving both driveways open to see which would best work. Smith stated that she does not want the developer, or the Raskob's, to drive the decision. Medina Ballroom has known for a long time that they may lose some access to Highway 55, so this resolution should not come as a surprise.

Workman stated that he supports staff's recommendation. Weir stated that she agrees. Brinkman asked if the City would be giving up anything by allowing MnDOT to make the decision. Workman stated no.

Workman asked for objections to changing the wording of condition number 18. None heard.

Adams discussed the changes to condition number 29. Language would be added that stated "with the intent of City Requirements". Workman stated that the change will allow for signage flexibility. With twelve to fourteen new stores, an increase to the number of signage, due to the number of businesses within the PUD, would occur.

Smith asked if the sign ordinance was met for buildings. Workman stated that the PUD is for one 10,000 square foot building.

Lorsung stated that with the urban commercial district, there is a sign ordinance. This is not for a planned unit development and is meant for one store per property. The purpose is to figure out a certain percentage, or formula, of square footage of signage allocated to a certain square footage of building. The height would be dictated by the ordinance with the purpose of treating each tenant fairly.

Smith stated that the condition does not allow for off-site signage. Lorsung stated that off-site signage was not in the application. Smith was concerned how the signage was indicated for partial public funding. Schield stated that the spreadsheet has not been updated to match the ordinance.

Brinkman asked if each potential vendor would have to be on the marquee.

Molly Carson, leasing and sales agent for Ryan Companies, stated that more than likely Ryan Companies would not be putting twelve signs on the marquee. However, Ryan would ask for signage on the buildings for each of the tenants.

Brinkman stated that Council would want the signage to match the rural look of Medina. Smith stated that she would like clarification on monument signs, as the City would need an ordinance for off-site monument signs.

Schild clarified her interpretation of signage and in addition, stated that the City is not paying for any signage proposed in the Target retail district project.

Weir stated that Uptown Hamel needs a little bit of help on its monument signage.

Workman asked for objections relating to the proposed change to condition number 29. None heard.

Adams stated that condition number 41 would have a change to its language to read "inside an enclosure", not "inside the building". Schield stated that if the structure is not a restaurant, then the retail district would be required to put trash within an enclosure.

Kohnen stated that the trash should be outside for safety concerns.

Workman stated he agrees with the change except for the specification of restaurants.

Brinkman stated that he personally thinks that trash enclosures are a safety issue.

Richard Koppy, Ryan Companies, stated that he would look at the Dairy Queen restaurant and what they did with their trash.

Lorsung stated that with her experience in planning, she has never seen an ordinance that requires a restaurant to have its garbage located inside the building. She has seen trash enclosures on premise: three sided, no roof with a locked gate on front, or an attached enclosure as part of the building with certain height requirements.

Smith stated that she has a problem with requiring Dairy Queen to have trash inside the building and not requiring Ryan Companies to do the same. Koppy stated that they would take a look at the Highway 55 Movie Theater/AppleBee's development and how they contain their trash.

Schild stated that she would recommend the condition to be more general; to perhaps read "must meet intent of City Ordinance".

Smith stated that she would like to see a requirement for a covered enclosure to prevent winter conditions such as snow and ice from compacting/collecting within the enclosure.

Workman recommended a roof on the enclosure. Weir proposed that the enclosure match the architecture of the building.

Weir asked how restaurants would fit into the resolution. Workman stated that the structure be abutted and enclosed (top as well) whether it is a restaurant or not.

Workman asked for objections of the language change. Smith asked that recycling and trash be included in the language.

Forest Russel, Senior Development Manager of Target Corp., stated that Target has a single enclosed compactor box that is completely sealed. Trash from within the building is placed onto a ramp and dumped into the compactor. A truck takes the box off site. Recycling is also stored inside the building. The compactor sits inside the receiving dock, a recessed truck well, up tight against the building. The compactor is enclosed and there is no gate as this is a sealed enclosure. The only access is from the ramp from inside the building.

Adams stated that condition number 59 also clarifies the trash and recycle requirements.

Adams stated that condition number 52 will be combined with 57. Essentially condition number 52 will be struck and 57 will include the words "Park Dedication Fees". Adams clarified that the development agreement will state the fee amount.

Workman asked for objections. None made.

Adams stated that condition number 61 further defines the definition of fast food restaurants. Adams also proposed adding the words, "Permitted Restaurant Must Have Table Service".

Schild stated that the developer wanted a coffee tenant and the PUD could allow for the coffee shop with a drive-thru.

Workman stated he does not want a drive-thru type service anywhere within the development. Smith agreed. Smith stated drive-thrus should meet residential setbacks.

Workman stated that he does not want a drive-thru within the development due to concerns of extra traffic. Workman stated that in his opinion, "no drive-thru" applies to all types of businesses: photo lab, pharmacy, restaurant, coffee shop, etc. Workman stated that he does not think it is fair to not allow drive-thru's for restaurants, but then allow it for other types of businesses.

Batty stated that the discussion at the last Council meeting was about fast food restaurants. Staff determined the definition of a fast food restaurant as having a drive-thru, as this is the most recognizable feature of a fast food restaurant.

Carlson stated that their potential coffee shop vendor is very interested in having a drive-thru. Studies indicate that drive-thru's allow for 47% of their business.

Russel stated that the morning rush hour is not a busy time for Target, so the coffee traffic would not affect the Target business.

Dick Brooks of Ryan Companies stated that Ryan Companies cannot afford to not have a coffee vendor or a bank within the development

Carlson stated that a coffee shop is a logical decision for bringing in retail dollars because customers enjoy coffee shops as a gathering/meeting place.

Workman asked if there were any objections to the language change of precluding Drive-thru and adding Table Service.

Cavanaugh stated that he is not in favor of excluding the coffee shop in the retail mix.

Weir stated the retail district is supposed to be pedestrian and neighborhood friendly.

Workman asked for clarification on how to determine whether a coffee shop is a restaurant. Batty stated that the liquor ordinance often defines a restaurant from a bar by using a formula that determines a certain percentage of food sales.

Adams clarified the language staff needed to distinguish fast food from coffee shops.

Workman requested further comments from Council Members.

Smith stated that she would like condition number 4 to remove the language "Staff suggests" so that it becomes a requirement. Kopyy stated that he is okay with the language change.

Smith stated that with condition number 9, she would like to suggest that if the developer gets credit for boulevard trees, then the 307 caliber inches of tree replacement must be higher. Kopyy stated that he does not feel that they are deficient; as they are doubling

the City's landscaping requirements.

Schield stated that staff would need better direction on what Council would require as far as tree requirements. Smith stated that she would like irrigation to be a requirement.

Kopyy stated that everything on-site, landscaping wise, would be irrigated.

Smith stated that she has a problem with condition number 25 and would like verbiage added to read "for dissimilar uses".

Weir stated that Medina wants the development to be friendly and walkable, which would occur with shared parking.

Workman stated the developer cannot rearrange the site. Weir stated she thinks the only time the parking would become a problem would be during the Christmas season.

Smith stated she had a question with regard to "Elevations" for condition number 32. She stated that a letter was received by Uptown Hamel business owners stating that they were against having a bank in the Target Retail district. The drive-thru verbiage should not be a part of the condition.

Brinkman stated the Hamel Bank draws a lot of people up to the Uptown Hamel area as well as to other businesses in the area.

Workman stated that Council has to determine what the market needs. Workman stated that he is not opposed to a bank within the Target development.

Smith stated that she would like the lighting issue to be addressed. She is concerned about all night lighting. Russel stated that the rear of the building would not be lit except for security lights above each of the exits, and the lights in the parking lot are shut off an hour after store closing.

Lorsung stated that the applicant has been made aware of the lighting ordinance, and Target's policy is that when the store shuts down the lights will be out.

Workman stated that he is mainly concerned that there is zero candle at the lot line.

Brinkman initiated debate on the safety measures of motion lighting vs. lighting that stays on all night.

Workman asked the developer if they could do what Target is doing along the rear of the building/retail complex: no lighting except for small security lighting above each door, downcast and shielded to provide zero candle at the lot line.

Smith asked that the parking lot lights be shut off an hour after the latest store closing as a condition of the PUD. She asked for a written guarantee.

Cavanaugh stated that he would have a concern for the safety of employees.

Workman stated this is a commercial area along Highway 55. Belland stated the police department likes to have some form of a light source for when they patrol the area.

Lorsung clarified that the developer and Target are both meeting the lighting ordinance.

Smith stated her concern for outdoor odors as it relates to the verbiage of condition number 62.

Cavanaugh asked if developers came up with a revised exterior plan on stone frontage.

Paul Young, architect, presented "before" and "after" design changes to the corner element of the building via the overhead. He added a wainscoat of stonework and additional trelliswork. Weir asked if any seating or bench work would be added to the corner of the building. Young stated no. Brinkman asked what the stone material consisted of. Young stated that the material is a cement material. Young stated that the trellis would be nine feet wide and would provide for a very pedestrian friendly area which would also add a 3D affect to the building. The trellis will be like an arbor.

Smith stated that she would be in favor of higher placed stonework to make the corner look even fancier.

Cavanaugh asked what the status of the County Road 101 access was. Adams stated that staff has been meeting with the tenants to work on a workable access on 101. Adams stated that County Road 116 is part of the discussion with the tenants.

Debate on the 116/Clydesdale access took place amongst the Council members.

Kopyy stated Target has a lighting policy that allows for a portion of Target parking lot to be minimally lit for employees. A half hour after the store closes, a portion of the parking lot is shut down, and then when the employees leave (an additional half hour later) then those lights are shut down as well. Meaning that after a total of one hour, the lights are eventually shut down. Target is very cognitive of the lighting and safety concerns.

Brinkman asked if it was feasible for the developer to adjust the height of the monument signage in order to keep with the rural effect of the Medina area.

Workman proposed that no motion be made unless the issues discussed could be addressed by the developer which would then allow for the resolutions to be made and brought back at a future Council meeting.

Workman requested Council to receive a copy of the agreement and then include the resolution as part of the Consent Agenda at the May 3, 2005 Council meeting.

Workman asked for public comment.

Joe Francis, owner of Holiday gas station located at 200 Hwy 55, stated that he will follow up with a meeting in the first week of May after staff meets with the developer.

Smith stated that she does not think that the resolutions should be a part of the Consent Agenda without getting the 101/116 access more clear.

Adams stated this item would be placed under "Old Business" at next Council meeting.

Reg Peterson, co-owner of Highway 55 Rentals, stated that the survey should include all the property for the south frontage road along Highway 55.

Workman called for a five-minute recess at 9:23 p.m.

Workman reconvened the meeting at 9:28 p.m.

2. Ehlers & Associates – Update on Public Service Impact; Revised TIF Runs.

Adams stated at the March 29, 2005 work session, the Council expressed more detail on the demand on public services as a result of the Ryan project. Adams stated that staff and Ehlers would provide a presentation that explains the numbers more thoroughly. Staff is seeking Council discussion and not necessarily a decision at this point.

Dave Callister, Financial Advisor from Ehlers and Associates, reviewed his memo in regard to the fiscal impact analysis on behalf of the City of Medina to review the Ryan/Target development and its impact on City services. Callister reviewed the formula (based on market value) used to calculate costs of the increased public services. Callister summarized the revised TIF runs that show simple inflationary growth (no additional new value increment), and showing the Ryan and Farr projects that affect the entire district.

Smith stated that the market value calculation did not seem logical to her. The cost per type of business would appear to make more sense as a calculation. Callister stated that he does not necessarily disagree with her, however cost and time is what caused them to use the market value formula.

Adams stated that he has spoken with Belland and Dillman about the numbers and they both agreed that the market value numbers are in the ballpark of what is proposed.

Cavanaugh asked for clarification of how the projected costs of public safety were arrived at, of which Callister provided explanation for.

Smith asked Belland if the residents make 95% of the calls. Belland stated that he was not sure, however stated that possibly 80-85% of the calls are made by residents.

Cavanaugh asked if Callister could be creative in TIF expenditures as he is not in favor of rebates. Callister stated no.

Batty stated that the TIF increment would be allocated over the life of the district.

Workman stated that the City can afford to do TIF and still provide money for City Services. Smith stated that by doing that, there would be no way to receive a 100% TIF rebate. Workman stated that his concern was to be able to get an increase in TIF to provide for all services as well as implement up to 25% of the TIF outside of the district. His concern was whether the TIF would provide for things that the City wants to improve instead of using general revenue money to make improvements.

Cavanaugh asked if there was any way to incorporate the water treatment plant into the TIF district.

Batty stated that the City is paying for some portions of the water treatment plant; however the plant is not identified as a cost as it is not in the district. However the improvements need to be definitely related to the TIF district and budgeted for infrastructure improvements.

Workman stated that the City is to use the TIF as a redevelopment tool. Batty explained the 90/10 rule as a redevelopment district and the mathematical tests to meet the rule.

Brinkman asked if there is a limited amount of increment. Batty stated yes. Batty stated that by using reasonable projections, and allowing the Council to decide on when to go outside of the district, and establishing caps, there is a limit to increment.

Smith stated that she would like to see the 80/20 rule used.

B. Resolution Awarding the Sale of \$4,800,000 of General Obligation Water Revenue Bonds, Series 2005A; Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment

Workman stated that Ehlers is present to plug in the numbers missing from the resolution. As a side note, the City's bond rating was recently upgraded from an A1 to an AA3, which will save the City significant expense with the bond. Staff recommends approval of the resolution.

Callister stated that he has good news for the Council Members by stating that Medina has been upgraded as Workman previously discussed.

Callister presented the certificate of the upgraded bond rating to Mayor Workman and commended staff for their work on the upgrade.

Weir asked what the highest rating a city could achieve. Callister stated AAA. However, for the size of Medina, the current rating is a very good upgrade. Callister stated that two Moody's representatives would be touring Medina to assess the improvements and variables that made the upgrade analysis.

Callister stated that they are set to close on the sale on May 17, 2005 if the Council approves of the resolution tonight. Callister stated that they have received nine bids, which is outstanding for the City of Medina.

*Moved by Smith, seconded by Brinkman, to approve a Resolution Awarding the sale of \$4,800,000 of General Obligation Water Revenue Bonds, Series 2005A; Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment. **Motion passed unanimously.***

C. Commercial Lighting Luminary Standard

Lorsung reviewed her memo, which highlights the "domus" light that is no longer available from Xcel Energy. Staff is seeking Council direction on the selection of two decorative lighting fixtures: Lantern Base Mounted "Columbus" Aluminum -15' for \$6,070, and Vernon Base Mounted "Columbus" Aluminum -15' for \$7,069. The price includes labor, materials and a service plan.

Lorsung stated that black and dark green are the two available color choices.

Smith stated that to require Target to keep with the rural feel is ridiculous if the proposed lighting fixtures are not rural in feel.

Dillman stated that choosing to go with Xcel is very smart, as the service plan accompanies their price.

Lorsung stated there are additional rural types of lighting plans; however they are extremely modern looking.

Lorsung stated that in discussion with Target, the parking lot lights would be more round and feminine looking instead of the square shoebox style of lighting.

*Moved by Weir, seconded by Smith, to approve the Vernon style of lighting for commercial and residential areas. **Motion passed unanimously.***

IX. CITY ADMINISTRATOR REPORT

A. Joint Work Session with Park Commission and Planning Commission

Adams stated that because there were several positive comments from those present at the joint work session about conducting more of these joint work sessions, staff is requesting direction on whether the Council desires to schedule a fall work session.

Workman stated that he does not want any extra meetings in June, July and August. Adams stated that he would look for open dates in September or October for a possible work session.

B. Hamel Legion Park Improvements

Adams stated that the improvements have been put in order of priority. The season is still young for seeding and planting. Adams stated that Dillman is seeking direction on the improvements at Hamel Legion Park. The Park Commission will need to continue to review some of the plan's elements before moving forward with improvements. Staff is seeking direction to improve the trail and ice-skating rink this spring.

*Moved by Smith, seconded by Weir, to approve the trail connection of the ice skating rink and trail connection improvements. **Motion passed unanimously.***

Dillman stated that the playground equipment relocation site is unknown at this time as well as the scale or cost of the project.

Dillman stated that in regard to the trail project, some dirt would need to be rid of. Even though the Rainwater Park project has not been approved, he proposed enlarging the burm along Hamel Road by displacing the dirt from the trail there.

Smith asked why Dillman would want to enlarge the burm. Dillman stated that he has no idea where to get rid of the excess dirt. Medina does not have any dumpsites for dirt. Dillman stated that there is an excess of approximately three hundred yards of dirt.

Adams stated that staff does have a little bit of time to decide where to dump the dirt as the trail will not be built within the next two weeks.

X. MAYOR & CITY COUNCIL REPORTS

Weir asked the Council Members if there was any will to take a second look at the

uptown ordinance in regard to building height and the Fire Marshall's requirements prior to completing the public street and rear parking design. Workman stated no. Weir stated that she would also like to address the affordable housing issue.

Smith stated that this area is going to have such a small density. The space is limiting.

Workman stated this ordinance has been discussed and rehashed much in past years. He proposed leaving the district alone and observing the impact of current ordinance.

Workman asked Dillman when he thought Hamel Road would be redone. Dillman could not provide an answer, as there are a lot of variables. Smith stated that the Council has now chosen a lighting fixture tonight, but there are not any sidewalk standards in place. If staff did not have time to do this, a consultant should be hired to finish the item.

Weir agreed with Smith.

XI. APPROVAL TO PAY THE BILLS

Adams asked the Council to please note that the bills include the payoff of the City's 1993 G.O. Tax Increment Bond.

Moved by Smith, seconded by Weir, to approve the bills order check numbers 027799-027861 for \$378,260.28 and payroll check numbers 019208-019227 for \$24,813.97.
Motion passed unanimously.

X. ADJOURN

Moved by Smith, seconded by Weir, to adjourn the meeting at 10:46 p.m. **Motion passed unanimously.**

Bruce Workman, Mayor

Attest:

Chad M. Adams, City Administrator-Clerk