

MEDINA CITY COUNCIL MEETING MINUTES OF APRIL 3, 2007

The City Council of Medina, Minnesota met in regular session on April 3, 2007 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

Members present: Crosby, Cavanaugh, Smith, Weir, and Johnson.

Members absent: None.

Also present: City Attorney Troy Gilchrist, City Engineer Tom Kellogg, Police Chief Ed Belland, City Planning Consultant Jennifer Haskamp, City Administrator Chad Adams and Recording Secretary Amanda Wylie.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

There were none.

IV. APPROVAL OF MINUTES

A. Approval of the March 20, 2007 Special City Council Meeting Minutes

*Moved by Weir, seconded by Cavanaugh, to approve the March 20, 2007 Special City Council meeting minutes as amended. **Motion passed unanimously.***

B. Approval of the March 20, 2007 Regular City Council Meeting Minutes

It was noted on page 4, the 7th paragraph, it should state: "...in the TDML. Crosby noted the possible inconsistency between the city's general policy of requiring land owners with failing septic systems to correct them at their own expense, and the possible TMDL funding of failing septic systems within the TMDL district."

It was noted on page 4, the 11th paragraph, it should state: "...is a polluting factor, that the Park's golf course is ranked very low."

It was noted on page 7, the 11th paragraph, it should state: "...staff was contacted by a realtor with the history of the matter who noticed..."

It was noted on page 7, the 11th paragraph, it should state: "...the driveway served more than seven houses..."

It was noted on page 9, the 8th paragraph, it should state: "...pay to pave Blackfoot Trail pursuant to the terms of the 1977 agreement, if you..."

It was noted on page 9, the 9th paragraph, it should state: "...as fodder if assessments are needed and contested."

It was noted on page 9, the 10th paragraph, it should state: "Crosby stated his agreement with Cavanaugh's position but he would..."

It was noted on page 10, the 1st paragraph, it should state: "...legal description of the 1977 agreement are not..."

It was noted on page 10, the 3rd paragraph, it should state: "...through G of the 1977 agreement, and the..."

It was noted on page 10, the 4th paragraph, it should state: "...trigger is when the eighth house..."

It was noted on page 10, the 5th paragraph, it should state: "...abatement efforts. Crosby noted that the City does have the ability to determine to pave the road and to assess all or a portion of the costs of the paving to the benefited land owners."

It was noted on page 10, the 9th paragraph, it should state: "...failed septic systems in the City of Independence must be repaired..."

*Moved by Weir, seconded by Cavanaugh, to approve the March 20, 2007 Regular City Council meeting minutes as amended. **Motion passed unanimously.***

V. **CONSENT AGENDA**

- A. **Accept Donation from Thomas M. Crosby, Jr. and Allocate to Internship Program**
- B. **Schedule Water Treatment Plant Open House for Wednesday May 23, 2007, from 4:00 p.m. – 8:00 p.m. at 780 Tower Drive**
- C. **Approve Gambling Permit for Northwest Suburban Chamber of Commerce for May 3, 2007 at Medina Golf and Country Club**
- D. **Approve Gambling Permit for Crystal, New Hope, Robbinsdale Rotary Club for June 4, 2007 at Medina Golf and Country Club**
- E. **Resolution Accepting Resignation of CSO Dave Kliszcz**
- F. **Authorize Staff to Advertise for and Conduct Search Process for Part-Time Regular CSO**
- G. **Approve Road Material Bids**

Smith asked to remove item G from the consent agenda.

*Moved by Weir, seconded by Cavanaugh, to approve consent agenda items A through F. **Motion passed unanimously.***

G. **Approve Road Material Bids**

Smith noted that in looking at the bids from item G she noticed that the bids from one and two are the same and that there have been some issues with traffic. Weir stated that they are in the process of being resolved. Smith stated that she does not know if Midwest is in compliance with CUP and until they know she requests that they do not give them the low bid offer. Cavanaugh stated that he was concerned about the same thing when they were working with the lawn detailers. He said that he didn't think this meeting was the place to determine compliance with CUP but they owe it to the residents to give them the best value for their dollar and also that they aren't policing all of the other people that aren't in Medina and if anything they should be given special preference to the people in Medina. Smith stated that she respects his opinion but

doesn't respect businesses that do not comply with City ordinances or respect the people in the City.

Adams stated that Midwest was the only company to bid on delivery to site and for the issue of placed on City streets only 2 companies bid and the other one was DMJ. He also stated that there is a likelihood that there are some CUP issues with the Midwest site.

Crosby asked when the decision had to be made. Adams stated it did not need to be made at this meeting but it would be preferable if it was made by the next meeting. Crosby stated they would bring it back up at the next meeting and they would need an action plan in dealing with the CUP and to know what the issues are.

Smith asked if the process is published. Adams stated that it is both published and they send out letters. Smith suggested they broaden the scope and Crosby stated that it was actually already broad. Smith stated that they only have control over the companies in their City and they should make sure that those companies are in compliance and not reward those that are not.

Crosby suggested approving all of the bids except for the first two columns and they will deal with those columns at the next meeting.

*Moved by Smith, seconded by Cavanaugh, to approve the road material bids except for the first two columns. **Motion passed unanimously.***

Crosby noted that on the first item he is donating his fees back and he does not decide how the City uses them, the Council does. The donation will allow for a Yale intern to be paid for three months of work. Adams stated that there are currently nine applicants.

Smith stated it would be interesting to know if any of them had any education background in planning since they could use help in pushing through projects with low impact designs. Crosby stated that they are undergraduates and Adams is reviewing their resumes to place them in an area where they can use their education. Adams stated that they are also hiring an administrative intern.

VI. COMMENTS

A. Comments from Citizens on Items not on the Agenda

George Wagner, 303 Cherry Hill Bay, stated that he is at the house most affected by the Ryan Companies project and that it is not shaping up as he was told. He presented slides to Council that showed what Ryan Companies' expected views of the property would be and what the views actually are. He asked for the Council's support in dealing with the landscaping. He stated that when Ryan Companies was selling the project he was told that they wouldn't see anything so they weren't concerned but now they are and need guidance from Council.

Crosby asked how many houses were similarly affected. Wagner stated that three houses were and that the rest are protected by the berm.

Crosby asked if Wagner had a proposed solution. Wagner stated that he did not as Ryan Companies would not listen to him.

Crosby stated that the Council is not able to make any decisions now and Wagner should contact Adams to sit down and figure out the situation. Adams stated that a separate agreement was struck between land owners and Ryan Companies. He also stated that Ryan Companies contacted him to say they are going out to check the progress of the project soon and to respond to planting from last fall.

Wagner stated that he has already spoken with Adams. He stated that the proposed solution was to put in 130-140 trees but that doesn't look like it will work. He asked if Council envisioned that this would be the result of the project. He stated that he would talk to Adams again and wait for Ryan Companies to come out and look at the site but he would like to see an actual fence put in.

Smith stated that she thought there would be more landscaping done by the bank and that even a tall fence would not be enough to shield the bank. She stated that she would go out to look at the site with Ryan Companies as she has a good relationship with Molly Carson from Ryan Companies. Wagner stated that Molly had helped out with a sign issue earlier. He also stated that he did not think the issue would be solved with landscaping.

Tom Dykhoff, 3402 Elm Creek Drive, stated that he was there representing the Veteran's Committee also known as the Hamel VFW. He then read a letter regarding the design of the new plaza in the Hamel Legion Park. The Veteran's Committee would like to design and fund a memorial to be placed in the plaza in conjunction with a lighted flagpole that will potentially be going in. The Committee is looking for a positive reaction from the Council so they can move forward with designing and pricing the memorial that will honor all veterans.

Weir stated that the issue should be presented to the Parks Commission first. Ann Thies, Chair of the Parks Commission, was present and stated that she suggested Dykhoff speak with Council since they did not want to move forward since it wasn't part of their original plan for the plaza.

Smith stated that the memorial would be a gift and not funded by any of the Park funds.

Crosby asked where specifically the memorial would be placed. Adams stated it is proposed to be close to the Hamel Community Building. Smith stated that the exact location has not yet been determined and it is important for Council to accept the memorial so the Committee can move on with designing and pricing.

Crosby stated that the memorial looked to be honoring two organizations and asked if names of people who died would be put on the memorial. Dykhoff answered no. Smith stated that she thought it was to honor all veterans. Dykhoff explained that the post would be honored.

Weir asked what the memorial would be constructed of. Dykhoff answered that it would be constructed out of granite. Smith suggested making it look more natural.

*Moved by Cosby, seconded by Johnson, to approve the memorial proposed by the Veteran's Committee. **Motion passed unanimously.***

B. Park Commission

Park Commissioner Ann Thies reported that the Park Commission had nothing new to report.

C. Planning Commission

Planning Commissioner Jeff Pederson reported that the Planning Commission hasn't met since the last Council meeting and explained that they have a light agenda scheduled for the next meeting.

VII. OLD BUSINESS

A. Gramercy Club at Elm Creek Agreement and Planting/Landscaping Plan

Adams noted the memorandum from outlining the resolution to the prairie plantings concern on the site. Staff recommends approval of the agreement, which includes terms for establishing the plantings, as well as meeting some of Gramercy's requests for changes. The City will continue to hold an escrow to ensure the plantings become established.

Weir stated that Prairie Restorations has a good track record.

Crosby stated that if they adopt the plan they are in effect giving back to the developer \$25,000 and the question is if Council is comfortable with that. He also stated that they would be retaining \$25,000. Adams stated that after some construction is done they will be down to about \$12,000 left for the prairie restorations. Johnson asked if that is sufficient to do the work and maintain it. Crosby stated that it is a difficult area to restore.

Fred Webber, President of the Gramercy Club, stated that they have had a series of meetings involving the City and members of the Gramercy Club. He stated that last year he assessed his members \$24,000 to try to improve the place. He stated that he believes they have now come up with a satisfactory compromise that is agreeable to the Council and he thanked the City, Adams and Dusty Finke for playing a positive role in the process.

Crosby asked if prairie grass is the answer to the problem in the area. Webber stated that it is not. Crosby asked why they would be moving forward with something questionable then. Webber explained that they had a lot of problems that stemmed from the dry weather.

Crosby asked if the area would be sprinkled. Weber stated that it will not but they will replace some of the prairie grass with low maintenance grass so it will look different. Weir asked if the replacement grass is a dry land grass. Webber stated that it is. Johnson commented that it is meant for sides of highways for that reason.

Crosby requested changing the agreement on page 2, paragraph 1, line 4. He would like to remove the statement, "...through its agreement with Prairie Restoration Company." He does not want it to be a conditional guarantee.

*Moved by Smith, seconded by Weir, to approve the Gramercy Club at Elm Creek Agreement as amended and the Planting/Landscaping Plan, as requested. **Motion passed unanimously.***

B. Final Plat Approval to Willow Hill Preserve Located at 2492 and 2520 Willow Drive

Planning Consultant Haskamp presented her report addressing the final plat approval for Willow Hill Preserve. She advised that staff has been meeting with the applicant for a few months to determine options for addressing the tree mitigation, storm water drainage, road width, road alignment, fire safety, and driveway/Willow Drive intersection safety. Haskamp advised that the City does not have the discretion to modify the conditions of the preliminary plat for final plat approval.

Johnson noted that at the last meeting it was requested by Council to receive a tree inventory and they never received it. Haskamp explained that she did receive some inventory but not a complete assessment.

Weir stated that the location of the rain gardens was not given to Council either.

Loren Kohlen, City Fire Marshal, explained that the grade of the realigned roadway is not as steep and the sight distance is better on the proposed plan. He stated that the sight distance should be at minimum 305 feet for a 40 mile per hour roadway. The current sight lines are about 200 feet and with the proposed plan it would go up to about 30 feet with the removal of trees. They figure there would be a couple of larger trees and 3-4 smaller trees that need to be removed.

Crosby stated that the main issues with the project are 1) the width of the traveled surface 2) the nature of the access onto Willow Drive 3) entire rain garden issue regarding drainage.

Smith stated that she didn't like the idea of removing trees to put in rain gardens.

It was discovered that only the Plat map was included in the packet and there was missing information.

Johnson stated that Council has not seen a tree inventory on proposed situations regarding the location of the road which Council had asked Staff for. Adams stated that it was discussed in the last two staff meetings and the information on the tree inventory was intended to be in the packet and available electronically this evening.

Smith asked if it was right that the first 250 feet of the road had to be 24 feet wide. Haskamp stated that only the first 150 feet had to be 24 feet wide.

Kohlen stated that if they had the road moving through the south they could gain more elevation. Also if the road was curbed they could live with having the road 20 feet wide all the way up. The curbs would help with fire trucks going down the road when it is slippery.

Cavanaugh asked if both sides of the road would need to be curbed. Kohlen answered yes. Cavanaugh asked if he could live with the road being 20 feet wide with the curbs as they are. Kohlen said yes.

Weir asked if they would require the houses in the area to be sprinkled then. Kohnen said they would suggest it but it is not required. Having them sprinkled would allow more time for the fire department to get there in case of emergency.

Crosby stated that they would probably have to put in excess water capacity tanks then. Kohnen said that they would but it would have a pump that would kick on only when more water was needed. Crosby asked if it is an issue for Council or for the building inspector. Kohnen stated that the building inspector has nothing to say about it.

Crosby asked if Council would be comfortable with a 20 foot curbed road. Weir stated that she would be and could see how it would be safer.

Smith asked how far back they would need to clear the trees beyond the road. Kellogg explained that he did not know. Smith stated that her concern is in what will be cut down during construction. She stated that she wants assurance on what trees will stay and what will go.

Johnson asked what would happen with the existing driveway and Weir suggested turning it into a rain garden. She suggested using the old driveway to create a linear retention pond which would not require taking down trees allowing the true rain garden across the road to be used to clear up present flow problems.

George Stickney, applicant, stated that he sent Johnson several maps proposing that very suggestion and he hadn't responded. He stated that at the last staff meeting he explained that that proposal would save at least 20 trees. Johnson stated that he did get the package on March 9th right before he left on vacation. When he returned 12 days later he called Stickney and told him he would like to get together but Stickney informed him that he had met with Staff and they all concluded that the existing plan was the best path forward.

Crosby asked if they could make a decision on the rain garden issue. Smith stated that Council still needs calculations and a list of things that need to be done.

Weir stated that she has read up on rain gardens and found that mature trees work better than rain gardens so it doesn't make sense to destroy trees in order to construct a rain garden. She stated that they could use the existing slab of land where there are no trees to somehow make a rain garden. Staff explained where the largest rain garden was planned. Weir stated that it is proposed as a north/south rain garden and asked if it could become a east/west rain garden. Staff stated that then they would then be fighting slopes.

Johnson stated that Council does not have the calculation to make a decision on alternatives.

Crosby stated that if you have curbs you must have drains. Kohnen confirmed that they would need drains.

Haskamp stated that Council should agree first on the road alignment so the applicant can go back and make alterations to show what would happen to the tree inventory in different situations. He asked Council if they would be comfortable with a 20 foot curbed road with the suggested alignment.

Smith stated that it would be advisable to require houses to be sprinkled. Johnson asked if that would be a building code question. Smith stated that it would not since it isn't required. Weir stated that sprinklers are already required in houses of certain sizes.

Betty Goodman, 2495 Willow Drive, stated that she and her husband own the land across from the project. She stated that she is encouraged to see Council not giving final plat approval until more information is provided. She stated that she is concerned about the idea of putting the driveway in a new location and her biggest concern involves runoff. She stated that her property is at a lower elevation and stands to receive water from the project. She stated that every year she has had to de-sediment the land and is concerned that she will continue to have to do so. The location of the new driveway is right across Willow Drive from a swale in their front field where they only recently solved an erosion problem. She is concerned that the project will bring the erosion problem back. She stated that her second concern is tree cutting. She understands about the safety reasons and sight lines though. She explained that a while back there were complaints regarding speeding on the road since Willow Drive has an open look to it that invites speeding. She stated that if there were vegetation on the sides of the road it could change the appearance and reduce speeding. She explained that the City even planted more trees up and down the road to make it look more closed in and now Council is talking about cutting the trees down. She suggested leaving the driveway where it is and putting in a convex mirror on the telephone pole so drivers can see oncoming traffic. She stated that she encourages Council to deny approval until answers to some of the questions are presented.

Crosby asked if the problem is more in regard to grade than site lines. Kohnen stated that it is some of each. He explained that a convex mirror was put in on Highway 101. He stated that he does not know how it would work in this situation but the grade issue is the main concern since it creates problems in getting emergency vehicles up the hill.

Crosby asked if the bank would have to be cut back to get the north view or if it would just be trees needing to be cut back. Kellogg stated that it is a combination of both but they are not talking about major landscaping.

Crosby stated that you can't currently see any markings on the trees and that it would be helpful to see what needs to be taken down for site lines. He also stated that he agrees with Goodman on the water issue.

Cavanaugh also stated that he agrees with Goodman on the water issue and would rather concentrate on the water issue than the trees.

Stickney stated that he would like to know if a pond or rain garden could be placed on the other side of the road. He stated that Council does not have calculations because they do not have answers on what plan to go forward with.

Weir asked if the Homeowner's Association would need to maintain the rain gardens if they were put on other people's land. Johnson stated that it has to be systemic. He explained that on Willow Road there are three culverts that drain across Willow Road. He stated that he thinks Minnehaha Creek Water Shed would like a rain garden and would probably like it to be in a basin area. He stated that they might want some sort of

collection point as a smaller reservoir and also to create a larger one that would drop out sediment for the whole water shed.

Crosby stated that the open issues include tree count information, delineation of what is required to get the view to the north, looking at the site to mark out trees to be removed and a general solution of water issues.

Smith stated that they want to make sure that the situation is improved and they should make sure it really is worth taking out the big trees. Kellogg stated that it will depend on the final design. He stated that on the current plans there would be tree removal required for site lines. The only other additional trees that would need to be removed would be those in the way of a rain garden. Crosby stated that that is why the water issue will need to come back to Council with more information.

Johnson stated that Council still wants a tree inventory. Cavanaugh explained that it is the best interest of Stickney to keep as many trees as possible. Crosby explained that they must go through the entire process to see where the 20 foot road would be best placed and Council will need to see more design plans to do that. He stated that Council would like a site plan that show which mature trees are located where the new road is planned to go.

Gilchrist stated that there is a timing issue. According to normal policy this would be the meeting where Council would direct Staff to prepare a resolution. He stated that unless Council requests an extension they will lose the opportunity to make a decision and the presented plans will go through automatically.

Adams requested an extension on a decision until May 17th. Stickney stated that he would grant the request.

Crosby asked if Council wanted to add anything about sprinklers in the last issue. Adams stated that Council can only suggest sprinklers but can't require them since it is already in the ordinance. Kohnen stated that this development isn't covered by the existing ordinance. Crosby stated that he is against adding in the sprinkling requirement as that would be spot zoning. Smith stated that she would like to discuss it in the future.

Crosby asked if there were any municipality that has rural residential sprinkling requirements. Kohnen stated that there is none that he knows of. Crosby stated that he would then like to deal with it as a special issue.

*Moved by Weir, seconded by Smith, to table the issue per reasons discussed. **Motion passed unanimously.***

VIII. NEW BUSINESS

A. Preliminary Plat to Create Two Lots Out of a Single Lot at 2605 Hamel Road – James Lane, III

Planning Consultant Haskamp presented her report relating to the creation of one additional lot at 2605 Hamel Road. She advised that the Planning Commission has recommended approval as well. It is recommended the Council direct staff to prepare the resolution for preliminary plat approval with conditions as noted.

Weir stated that Jim Grube with Hennepin County recommends that the house on lot one be accessed via Willow Drive. Crosby stated that the recommendation is not practical. Weir stated that an easement would have to be constructed and it all relates to the fact that Hamel Road is a County road and she gets the feeling that there is some question about whether or not it will remain a County road. Haskamp stated that she believes it is an error and they are referring to lot two as opposed to lot one. Weir asked that Staff check into the matter.

Cavanaugh asked, in regard to the horse trail around School Lake, if Council would require the development to be dedicated. Weir answered no and stated it is a gentleman's agreement.

*Moved by Weir, seconded by Johnson, to direct staff to prepare the resolution for preliminary plat approval with conditions, as noted. **Motion passed unanimously.***

B. Conditional Use Permit for 2455 County Road 24 – Robert R. Hopper and Paula Prah

Planning Consultant Haskamp presented her report relating to the CUP for an accessory structure that includes a pool and pool house. The Planning Commission has recommended approval as well. It is recommended the Council direct staff to prepare the resolution for conditional use permit with conditions as noted.

Crosby asked what the Planning Commission did. Haskamp stated that they unanimously recommended approval.

Weir asked Robert Hopper if the existing shed near the creek would remain. Hopper stated that it would stay as it is a historic building and that he has started to consult with a historic architect so ensure that they keep the historic nature of both structures.

Crosby asked if Hopper has an existing driveway coming from the south if it is new. Hopper stated that it is existing. Crosby asked if he would discontinue the driveway that would go to the pool or stub it for parking. Hopper stated that the driveway will go away and the area will become lawn.

*Moved by Weir, seconded by Cavanaugh, to direct staff to prepare the resolution for conditional use permit with conditions, as noted. **Motion passed unanimously.***

C. Preliminary Plat to Create Three Lots Out of Four Existing Lots at Hamel Road and Tomahawk Trail – Richard Burke and Ralph Miller

Johnson asked if the change is related to a sale. Haskamp confirmed that it is.

Crosby asked Haskamp to clarify how the shifting of the lot line adds to contiguous soils. Haskamp stated that the way the applicant is requesting to shift the line would make the piece of land larger therefore adding more contiguous soils.

Crosby asked if the southern portion of the property that would be Burke's is a buildable lot. Haskamp stated that it is not. Crosby asked if the reason was due to the slopes and Haskamp stated that it was. Cavanaugh stated that it looked like there would be more than five acres of suitable soil once the lot lines are moved. Haskamp stated that there would be more than five acres but if they property owner wanted to build on the land

they would need to have an evaluation done first. Haskamp stated that the property owner has no intention of building on the property.

Haskamp stated that the City cannot require park dedication since there would be no creation of anything, it would just be rearranging of plot lines. Crosby asked if at the end there would be lots one, two and three of Miller subdivision. Haskamp confirmed that it would be. Crosby asked if then they would be creating a new lot for Richard Burke. Haskamp stated that they would not be creating a new lot. Johnson explained that it would only be adding to his current lot. Crosby asked if Burke's property is currently platted. Crosby stated that his concern is that it isn't currently platted and when the plan is approved it will cause the land to be platted and since they are then creating something for Burke the City could require park dedication. Adams stated the question related to park dedication is related to a subdivision of the land, not if the property is platted.

Cavanaugh asked if the areas of the property labeled 0.82, 1.24 and 4.14 of acceptable land are contiguous. Haskamp stated that she did not know and could not read it on her map. Kellogg stated that there would not be a creation of a separate lot. Cavanaugh stated that he agrees however there is still a potential for the owner to come back and request the lot be divided. He stated that currently they are not contiguous because they are all separate pieces of property but if the plan is approved he wants to know if they would be considered contiguous and if the owner could request to divide the lot into two lots. Kellogg answered yes to both.

Crosby asked if it were a normal subdivision if Staff would let the south lot go away substandard. Kellogg answered that they would not. Crosby stated that then the issue is whether or not the land is a plat or not. He asked if Council was running into a time issue. Adams stated that they are and they are actually at the end of the extension that they requested. Crosby asked if they could approve the request with a restriction. Smith asked why they would need to put a restriction on it. Cavanaugh stated that if the owner wanted to divide the land he would still be required to request permission from City Council. Crosby stated that other issues come forward if the land is not a plat. Adams stated that they can still approve the request and add a requirement regarding park dedication if it turns out that the situation requires it. Adams stated that Council could direct Staff to create a resolution with stipulations on the technicalities of if the land is a subdivision or not.

Crosby stated that the Council would direct Staff to prepare a resolution for approval subject to legal issues relating to if it's a subdivision or not. ***Council approved unanimously.***

IX. CITY ADMINISTRATOR REPORT

A. Traffic Control Measures – Speed Humps and Stop Signs

Chief Belland reported on speed hump research and noted the additional information provided to the Council relating to comments staff has received on the two stop signs on Holy Name Drive. Staff is recommending against speed humps on collector streets and seeking further discussion on the speed humps as a traffic control mechanism. Staff is also seeking direction on the length of time the stop signs on Holy Name Drive will be present (i.e., is the City conducting this as a pilot project for three or six months, or are they permanent).

Weir asked if a survey has been done to see if the traffic has moved to a different road. Belland stated that they do not technically know as they would need to do a traffic count on the road, which they have not done.

Daniel Bennis, 2185 Holy Name Drive, stated that he thanks Council for putting the stop sign in. He stated that there has been no noise lately and that the traffic has gone down more than 50 percent. He stated that speeds have gone down. He stated that people were using it as a County Road previously and speeding through. He stated that he now has no problems walking down the road safely. He stated that he hopes Council keeps the stop signs there and makes them permanent.

Weir stated that it would be interested in where the traffic has gone and what would be the result if they made all of the collector roads less accessible to traffic. Cavanaugh stated that he counted 7 people who made comments who were from either Plymouth or Unknown who were upset by the stop signs. He stated that it appears that they are irritating the people who were using it as a County road and that is a good thing because they will eventually start to use Highway 101 more. Cavanaugh stated that everyone he has talked to who have children are very happy with having the stop signs there. He stated that overall he can see a reduction in traffic and the traffic slowing, which is better for the community.

Beth Nielsen, 295 Lake View Road, stated that she is on the north side of Holy Name Lake. She stated that she has been in the same house for 35 years and she used to be able to bike on the road. She did not allow her kids to ride their bikes until the stop signs were put in. She stated that she walks every night on the road with her friend and they have noticed that the traffic has considerably gone down and that she is for keeping the stop signs there.

Crosby asked what would happen if there was only one stop sign present. He stated that his concern is enforceability and if there is only one stop sign as opposed to two, it may get more respect. Nielsen stated that it is more of a point of irritation as opposed to enforceability. She stated that when she is standing outside she notices people rolling through the stop sign and not stopping but it is at least forcing them to slow down. She stated that she thinks two stop signs would keep that going.

Crosby stated that the stop signs have a temporary look to them and that may also be why people are slowing down but not stopping.

Bennis stated that as if they did remove one of the stop signs he thinks it should be the one that is farthest from his house since the houses near that stop sign have short driveways and it would be safer for them to back out onto the road. Crosby stated that he would leave the decision up to the Belland.

Smith stated that she does not see this as a solution that will work and the Council can not go around putting a stop sign on every street. She stated that she agrees with having one stop sign and perhaps when they re-do roads they could put in roundabouts. Bennis stated that he agrees that they can't put a stop sign on every road but nobody is asking them to do that. Having County Road 16 shut down has caused more traffic to go down Holy Name Drive.

Crosby asked where Council was on the issue of speed humps. Cavanaugh stated that he was concerned that they are hard on vehicles, especially school buses.

Bennis stated that the reason for putting the stop signs in was to slow down traffic and that is exactly what they did so he sees no reason to remove them. Weir stated that stop signs are used to control traffic in dangerous areas and not to be used to just slow it down. She stated that she did not see speed humps as the way to go and asked Belland if they had considered choking where the road narrows down. She stated that speeds on roads are directly related to the width of the road. Belland stated that it is an option and they did that on Evergreen. Weir asked if it would be a safer option. Belland replied that it could be but it probably wouldn't slow down the traffic as much as a stop sign would. He stated that there were some noise complaints from people accelerating from the last stop sign since they are irritated.

Crosby asked where Council wanted to go with the issue. He stated that he would leave it to Belland to decide.

Johnson stated that they responded to the request of the community and they have fixed the problem. He stated that he thinks people may be acting out because it is early in the process and they are a little irritated. He thinks that both stop signs should stay in longer. Cavanaugh stated that they should make them permanent. Crosby stated that he agrees with Cavanaugh that they should make them permanent to show that they are not going away.

Belland stated that he has had other requests for stop signs and that Council should be prepared for more requests. Cavanaugh stated that those requests show that people want stop signs and they are a good thing.

Weir stated that they should decide if they want to keep both or remove one. Crosby stated that they should leave it to the discretion of Belland. Smith stated that Council should then be prepared for people requesting stop signs on every road and that they cannot treat this road special. Johnson stated that there has been complaints about traffic and speeds on this road more than others. He stated that if other people want to put in a stop sign on another road they could require that they would need to get a petition to present to Council.

Belland stated that a stop sign is safer than speed humps and choking could still be an option. Johnson asked if speed humps have been a problem for snow plows. Belland stated that speed humps are more gradual and lower to the ground but they still collect snow and slow down snow plows.

Crosby asked if Belland was comfortable going for a while longer with two stop signs. Belland stated that he would be comfortable going through the summer. Crosby asked if then they should make them permanent. Belland stated that they would. Crosby stated that they would review the issue again in September.

B. Facilities Master Plan Update

Adams provided an update regarding the Facilities Master Plan and advised of the following quotes: American Engineering Testing: \$6,550; Stork Twin City Testing: \$4,400; and, STS Consultants: \$3,890. Adams asked the Council to consider the low quote from STS Consultants for soil boring and PERC tests at the City Hall site.

Moved by Weir, seconded by Smith, to approve the low quote from STS Consultants in the amount of \$3,890 for soil boring and PERC tests at the City Hall site, as requested. Motion passed unanimously.

C. Test Well in Hamel Legion Park

Adams reported that the test well conducted in Hamel Legion Park is not producing the results the City desired. He stated that Staff recommends spending an additional \$15,000 to further explore the capability of the test well.

Kellogg added that well number six is currently under construction and test well number seven is not yet pumping. Test well number seven is currently putting out about 200 gallons per minute and the hope was that it would put out 300-400 gallons per minute. Kellogg stated that it appears some sand and other materials are preventing the flow. He stated that the \$15,000 would be well spent to help maximize the capacity of the well. He stated that the worst case scenario would be that the capacity would remain at 200 gallons per minute.

Crosby asked if well number five is currently active. Kellogg stated that it is a drift well.

Crosby asked if the funds would be taken from the Water and Sewer Fund. Adams stated that it would be from the Water Fund and there are actually funds put aside for the exploration of two to three more wells in the future so \$15,000 would not be a large amount to spend. Crosby asked how much has already been spent on test well number seven. Kellogg stated that approximately \$140,000 to \$150,000 has been spent. Crosby asked if findings show that only 200 gallons per minute can be pumped out of the well if the City planned on keeping it. Kellogg stated that he would suggest keeping it because of how much they have already invested in it.

Weir stated that when she walked the property a couple of months ago the silt fencing was in poor shape. Kellogg stated that he walked the property about two weeks ago and it appeared to have been fixed but he would check into it.

Moved by Weir, seconded by Cavanaugh, to approve spending \$15,000 from the Water and Sewer Fund, as requested. Motion passed unanimously.

D. Water Rate Analysis for Extension of Water and Sewer to Corcoran

Adams provided a brief update on the principles of the agreement between Medina and Corcoran. He advised that Ehlers & Associates will be at the April 17th meeting to discuss the specifics of the rate analysis.

Johnson stated that Ehlers & Associates looked at Medina's revenue streams adding in the sale of water to Corcoran. The analysis included conservative assumptions about growth including the addition of around 200 units in Medina in 2008. He stated that it was impossible to determine if the additional houses would subsidize what could be a money loser with Corcoran. He stated that the Corcoran and Medina sub-committee asked Ehlers & Associates to come back with an analysis showing, on a discreet basis, the rates of charges proposed to be charged to Corcoran were sufficient to pay for their portion of the line.

Adams stated that more information would be presented at the April 17th meeting.

Johnson explained that he would like to see what the analysis would look like with no projected houses being built in Medina. He also explained that Medina would bill Corcoran for their portion of water use and Corcoran would pay Medina and take the responsibility of collecting from users in their own city. Adams added that staff will need to look at the capital infrastructure already built as part of the no growth analysis to accommodate for possible over-built infrastructure, such as the treatment plant, under this scenario.

Smith asked if the water conservation policy was brought up. Adams stated that it was and explained that it was a requirement in the terms. Adams listed the other principle deal points of an agreement to include:

1. Corcoran will pay for the infrastructure of the water and sewer trunk line from its existing location to the Corcoran development project. A credit will be provided to Corcoran on the oversizing of the lines needed to accommodate future Medina and Corcoran usage.
2. Corcoran will pay Medina the applicable connection fees for water and sewer that are consistent with our 2007 fee schedule. User rates for both water and sewer will also billed at the same rates identified in the fee schedule.
3. Medina will conduct the billing and meter reading services and will send a bill to Corcoran for payment. Corcoran will in turn collect the payments from their users.
4. Medina will provide maintenance of the water and sewer lines, until Corcoran assumes maintenance control at a later unspecified date.
5. The infrastructure constructed in each City's corporate limit will be owned by that respective city. More discussion is needed on the lift station in Medina that serves Corcoran.
6. Corcoran development will have to meet compliance with the Medina conservation policy, which has been established by Medina ordinance.
7. Future user rate/connection fees may change at the sole discretion of the City of Medina and Corcoran will need to comply with all rate/fee changes.

X. MAYOR & CITY COUNCIL REPORTS

Crosby stated that a Medina newsletter would be going out soon and he would like to see Saturdays off during the months of June, July and August.

*Moved by Johnson, seconded by Weir, to suspend Saturday hours for Medina City Hall during the months of June, July and August. **Motion passed unanimously.***

Cavanaugh stated he would like to see more ads in the newsletter, which could potentially fund the expansion of the newsletter. Crosby stated it was an issue to bring up later but to ensure they are careful about the ads since they don't want it to end up looking like the Shopper. Cavanaugh stated that Plymouth's newsletter has more ads and is very tastefully done. Smith suggested Cavanaugh bring in a copy and he agreed.

XI. APPROVAL TO PAY THE BILLS

*Moved by Johnson, seconded by Cavanaugh, to approve the bills, general checks #30690-30742 for \$162,520.88 and payroll checks #20039-20045 and EFTs for \$32,922.06. **Motion passed unanimously.***

XII. ADJOURN

*Moved by Weir, seconded by Cavanaugh, to adjourn the meeting at 10:27 p.m. **Motion passed unanimously.***

T.M. Crosby, Jr., Mayor

Attest:

Chad M. Adams, City Administrator-Clerk