



# City of Medicine Lake

10609 South Shore Drive • Medicine Lake, Minnesota 55441 • (763) 542-9701 • (763) 746-0142 fax

August 1, 2016

## City of Medicine Lake Council Minutes

**Present:** Mayor Gary Holter; Councilors Jack Garberg, Scott Marks and Ron Tomczik; Treasurer Craig Kile; Clerk Nancy Pauly; Fire Chief Mike Helman; Public Works & Parks Commissioner Chris Klar; Planning Commission Jon Pettengill; City Planner Brad Scheib.

**Absent:** Councilmember Connie Shaffer.

**Miscellaneous attendees:** Susan Wiese, Bruce Larson, Kelvin Lee, Heather Lepper, Cory Lepper, Dan Ofstedal, Anna Preston, Hennepin County Sheriff Lieutenant Joe Jaruszewski.

Mayor Holter called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

### Minutes and Agenda

- **Motion to approve the agenda as presented forwarded by Councilmember Garberg and seconded by Councilmember Marks. Mayor Holter; Councilmembers Marks, Garberg and Tomczik in favor. Councilmember Shaffer absent. Motion passed.**
- **Motion to approve the July 11th, 2016 minutes forwarded by Councilmember Marks and seconded by Councilmember Garberg. Mayor Holter; Councilmembers Marks, Garberg and Tomczik in favor. Councilmember Shaffer absent. Motion passed.**

### Open Forum

- None.

### Hennepin County Sheriff – Sergeant Joe Jaruszewski

- Reported nothing to report.

### Fire Department Report – Mike Helman

- Reported no calls for last month.
- Reported training this past month was on water rescue training.
- Reported they will conduct annual hose testing tomorrow.

### Public Works Report – Chris Klar

- Reported there will be a meeting at noon tomorrow with the engineers who are working on the sewer project at 211 Peninsula Road.

### Parks Report – Chris Klar

- Mayor Holter asked whether there will be a port-a-potty in the park this summer. Mr. Klar said he didn't have one put in place because of the tennis court work.

### Planning Consultant – Brad Scheib

- Mr. Scheib presented plans for the Hutton House project and said there are two reasons the Hutton House is coming before council: 1) site plan approval and 2) hard cover surface above 40%. The hard cover surface is currently 58% and they want to go to 64%. Their plan will improve storm water management.

- Councilmember Garberg noted at the southernmost entry/exit a blind spot when heading out, crossing South Shore Drive to the left.
- Councilmember Tomczik asked about parking spaces. Mr. Scheib said it's within industry standard and will send Councilmember Tomczik the research.
- **Motion to approve resolution 16-2 a resolution approving a variance from section 3400.6 of the zoning code to exceed the maximum impervious surface coverage allowed for the property at 10715 South Shore Drive forwarded by Councilmember Marks and seconded by Councilmember Garberg. Mayor Holter, Councilmembers Marks and Garberg in favor. Councilmember Tomczik abstained. Councilmember Shaffer absent. Motion passed.**
- **Motion to approve resolution 16-3 a resolution approving a site plan per section 1500 of the zoning to allow the redevelopment of 10175 South Shore Drive forwarded by Councilmember Marks and seconded by Councilmember Garberg. Mayor Holter, Councilmembers Marks and Garberg in favor. Councilmember Tomczik abstained. Councilmember Shaffer absent. Motion passed.**
- Mr. Scheib reported that Councilmember Tomczik called him asking about temporary family health care dwelling units. There are privacy issues associated with the units and they are difficult to regulate. The legislation included an opt out clause. We need to pass an ordinance to do so and it needs to go through the zoning process. A public hearing is posted for August 18<sup>th</sup>. The City Council needs to act on the ordinance so it can be published by September 1<sup>st</sup>.
- **Motion to have a special council meeting to consider opting out of S.F. No 2555 – Chapter 111 regarding temporary family health care dwelling units forwarded by Councilmember Tomczik and seconded by Councilmember Marks. Mayor Holter, Councilmembers Marks, Garberg and Tomczik in favor. Councilmember Shaffer absent. Motion passed.**
- The special council meeting will be held on August 22nd at 6 pm.
- Reported the Federal Emergency Management Agency has updated the FEMA maps for the National Flood Insurance Program. The DNR, which helps local governments implement federal law, has changes to the flood plain ordinance. Many of the changes are required and some are optional. It will be taken to the Planning Commission and public hearing.
- Reported on the issue of the legitimacy of one of the fees of the rental housing program. Mr. Scheib said we always adopted an ordinance annually that sets planning and zoning application and permit fees. The \$30 fee is not in the fee ordinance. It will be added. When we adopted the International Property Maintenance Code to replace the standards for the rental inspections, we repealed ordinance 90. We should have repealed part of ordinance 90 but inadvertently repealed the entire ordinance. Wynn Curtiss is drafting the return of the program because now all we have are the standards that we measure. It's being fixed as part of the fee ordinance.

#### Planning Commission Report – Jon Pettengill

- Mr. Pettengill said he plans to remain as the chair of the Planning Commission for several more years.
- Mayor Holter said he was served a summons from the residents of 161 Peninsula Road. Mr. Scheib said it made two claims. One claim is procedural and the other claim is whether the findings to deny the variance were correct. City Attorney Wynn Curtiss is reviewing it.

#### Treasurer's Report-Craig Kile

- Receipts in reporting period: \$3,014
- Receipts year to date: \$192,270
- Disbursements in reporting period: \$8,404
- Disbursements year to date: \$161,223
- **Motion to approve the summary spending, receipts and cash balances through July 31, 2016 forwarded by Councilmember Marks and seconded by Councilmember Garberg. Mayor**

**Holter; Councilmembers Marks, Garberg and Tomczik in favor. Councilmember Shaffer absent. Motion passed.**

- The 2017 budget work session was scheduled for August 22<sup>nd</sup> at 6:30 pm.

Officer Reports:

Councilmember Garberg

- Reported he has two prices for roads. One is to repair potholes and seam seal for \$12,200. The other is \$61,000 for chip seal. Council agreed to repair potholes and seam seal.

Councilmember Shaffer

- No report.

Councilmember Tomczik

- Reported we received a check for \$760 from Hennepin County for the first half of Hennepin County's residential recycling program.
- Reported he had an article placed in the Laker to thank the folks who planted the flowers at the city entrance.

Councilmember Marks

- Reported he has been watching training videos on how to put together the comprehensive plan.

Mayor Holter

- Reported the FEMA work is moving ahead in a timely fashion.

Unfinished Business

- **Motion to approve resolution 16-4 the City of Medicine Lake resolves to contract with the Hennepin County Assessor Department for the 2017-2020 assessments with the estimated cost of \$7,500/year forwarded by Councilmember Marks and seconded by Councilmember Tomczik. Mayor Holter; Councilmembers Marks, Garberg and Tomczik in favor. Councilmember Shaffer absent. Motion passed.**

New Business

- Councilmember Tomczik said Ron Schara's Minnesota Bound episode last night on channel 11 featured Medicine Lake.

**Motion to adjourn forwarded by Councilmember Tomczik and seconded by Councilmember Marks. Mayor Holter; Councilmembers Marks, Garberg and Tomczik in favor. Councilmember Shaffer absent. Motion carried at 7:25 p.m.**

Respectfully submitted,

Nancy Pauly  
City Clerk

Approved on September 12, 2016