



City of Medicine Lake

February 7, 2022

City of Medicine Lake Council Minutes

Present: Mayor Scott Marks; Councilors Jo Meyer, Connie Shaffer, Chris Heim, Ron Tomczik; Treasurer Gary Englert, City Clerk Therese Polum; Fire Chief Rich Halvorsen in person and via Zoom; Public Works Superintendent Chris Klar.

Council Absent: None

Miscellaneous attendees: Hennepin County Sheriff Lieutenant Dan Koski, Susan Wiese., Heide Heim, Les Young, Mary Anne Young, Ted Hoshal, Patty Fitzgerald, Patrick and Briana Juetten.

Mayor Marks 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 Mayor Marks and seconded by Councilmember Shaffer. Councilmembers Mayor Marks, Meyer, Shaffer, Tomczik, and Heim in favor. Motion passed.**
- **Motion to approve the January 3, 2022 minutes forwarded by Councilmember Meyer and seconded by Councilmember Shaffer. Councilmembers Mayor Marks, Meyer, Shaffer, Tomczik and Heim in favor. Motion passed.**
- **Council discussed the January 19, 2022 meeting minutes and requested a revision. Minutes will be presented at the next council meeting with the revision.**

Open Forum

- Mayor Marks requested a moment of silence for the passing of Jack Garberg.
- Heidi Heim presented that the Medicine Lake Community Club is moving to a 501(c)(3) nonprofit.

Hennepin County Sheriff – Lieutenant Koski

- Reported no concerns
- Discussed enforcement of street parking, speed limit, safety concerns

Fire Department Report – Rich Halvorsen

- Reported 2 calls in the past month
- Reported training with North Memorial

Public Works Superintendent Report – Chris Klar

- Reported on Minger Construction update
- Reported lots of blue shop towels were cleaned out of the lift station

Bassett Creek Watershed Management Commission Report – Susan Wiese

- Reported on background and current activities
- Reported she is hopeful that the CIP funds request will be on the February 17, 2022 commission agenda. Ms. Wiese and Councilor Shaffer will attend the February 17 meeting representing the City of Medicine Lake

Planning Commission Report – Jesse Swanson (absent)

- No report

Treasurer's Report – Gary Englert

- Receipts in reporting period: \$18,330
- Receipts year to date: \$18,330
- Disbursements in reporting period: \$43,824
- Disbursements year to date: \$43,824
- Reported update on audit; audit present value exercise resulted in an audit being not applicable
- Reported update on current bond and future bonds
- Reported he along with Councilor Heim met with David Drown Associates regarding the next round of bonds for funding the road construction project
- **Motion to approve the summary spending, receipts and cash balances through January 31, 2022 forwarded by Councilmember Shaffer and seconded by Councilmember Meyer. Mayor Marks, Councilmembers Shaffer, Meyer, Tomczik and Heim in favor. Motion carried.**
- **Motion to approve RESOLUTION 22-06 a resolution accepting a monetary gift of \$1,000 from William G Leonard to benefit the City of Medicine Lake Parks Department for playground equipment forwarded by Councilmember Shaffer and seconded by Councilmember Meyer. Mayor Marks, Councilmembers Shaffer, Meyer, Tomczik and Heim in favor. Motion carried.**

Officer Reports:

Councilmember Heim

- Reported on an update on the draft bill for bonding
- Reported on the Tuesday, February 8 special council meeting with the City of Plymouth City Council
- Provided a brief update on the Joint Powers Agreement fees
- Reported that he is preparing a draft schedule for variance review to assure council has ample time to review materials prior to a council meeting

Councilmember Meyer

- Reported on technology update including IT and website updates
- Reported on zoom meetings and presented to discuss if zoom option should continue
- Discussion pursued regarding dis-continuing or continuing zoom meeting
- **Mayor Marks called for a vote to temporarily discontinue zoom option for regular council meetings; allowing for zoom meetings to be again discussed in the next quarter. All in favor, vote passed.**
- Zoom option will be placed on hold until further notice

Councilmember Tomczik

- Reported update on the SCORE report complete

Councilmember Shaffer

- Presented a resolution allowing expanded use of construction management plan (CMP) during the capital improvement plan (CIP) construction phase
- Discussion pursued
- Presented on the low-aid municipality distribution draft bill. The City of Columbus, MN is leading this effort to address that many small cities do not receive gas tax or local government aid and are net contributors to the fiscal disparities pool.
- **Motion to approve RESOLUTION 22-07: expanded use of construction management plan (CMP) during the capital improvement plan (CIP) construction phase forwarded by Councilmember Heim and seconded by Councilmember Meyer. Mayor Marks, Councilmembers Shaffer, Meyer, Tomczik and Heim in favor. Motion carried.**

Mayor Marks

- No report

New Business – Variance Request at 238 Peninsula Road

Mr. Brad Scheib presented on the variance request at 2378 Peninsula Road. His presentation started at 8:05 pm. He requests for all questions and comments to be held till he has finished his presentation. He reminded the council and room that this is not a public hearing; public hearings were already held for this variance request. This is a council meeting, and the council may choose to allow or deny public comment. The following is a summary of Mr. Scheib's presentation.

- Presented a detailed presentation with powerpoint.
- All materials were provided to the council ahead of time and posted to the city website.
- Emphasized that if the council would like any additional details they have the right to request additional material.
- Presented in detail the various permits, conditions, codes, ordinances, variances and provisions involved.
- Continued his presentation and discussed the findings.
- Presented an update on the public hearings.
- Presented on the interactions with the DNR.
- Presented on Ted Hoshal's comments.

Mr. Scheib finished his presentation. His presentation finished at 8:56pm at which point he asked for questions and comments. Councilor Tomczik asked Mr. Hoshal to share his objections. Mr. Hoshal presented on his objections. He discussed the materials that he prepared that were provided to the council and posted on the city website. Mr. Hoshal stated he feels this will impact all of the cities properties.

The Council discussed the variance request. Mayor Marks stated he feels this is a reasonable request. Councilor Shaffer stated she does not feel this is an unreasonable request. Councilor Heim stated he admires Mr. Hoshal's passion and dedication however he feels this is a reasonable request. Councilor Meyer stated she respects both sides of the topic and she is in support of passing the resolution. Mr. Hoshal asked that the tree on the property line be protected.

Motion to approve RESOLUTION 22-08 a resolution approving a variance from section 3600.7 subp. (6) of the zoning code to allow grading on a steep slope within 20 feet of the ordinary high water line at 238 Peninsula Road forwarded by Mayor Marks and seconded by Councilmember

Shaffer. Mayor Marks, Councilmembers Shaffer, Meyer, Tomczik and Heim in favor. Motion carried.

Mr. Scheib reported he will start the process of updating the shoreland ordinance with potential public hearings held in March.

Mr. Scheib reported the City of Plymouth has asked for comments from the council regarding the re-zoning of areas near Backman's floral for high density living units.

Motion to adjourn forwarded by Councilmember Shaffer seconded by Councilmember Meyer. Mayor Marks, Councilmembers Shaffer, Meyer, Tomczik, and Heim in favor. Motion carried at 9:30 p.m.

Respectfully submitted,

Therese Polum
City Clerk

Approved on March 7, 2022