



# City of Medicine Lake

February 5, 2024

## City of Medicine Lake Council Minutes

**Present:** Mayor Chris Heim; Councilors Ruth Hovey, Bill McNaughton; Ron Tomczik, Treasurer Gary Englert, Clerk Therese Polum, BCWMC Commissioner Clint Carlson, Public Works Superintendent Chris Klar, BCWMC Alt TAC Shaun Kennedy, Sergeant Nelson, BCWMC TAC Susan Wiese

**Council and Staff Absent:** Councilor Connie Shaffer, Planning Commissioner Jesse Swanson, Ast. Fire Chief Mike Fox

**Other attendees:** multiple citizens attended this meeting (roughly 25 citizens above who normally attends)

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

### Minutes and Agenda

- **Motion to approve the agenda forwarded by Councilmember McNaughton and seconded by Councilmember Hovey. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer Absent. Motion passed.**
- **Motion to approve the January 8, 2024 city council minutes forwarded by Councilmember Hovey and seconded by Councilmember McNaughton. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer Absent. Motion passed.**

### Hennepin County Sheriff Report, Sergeant Sam Nelson

- Reported calls for service: 6 calls in January (average 4-6 calls per month)
- Reporting requirements are changing; our reports will look slightly different going forward
- Agreement expires December 2024; June/July – vote to maintain coverage (public hearing required?) August/September – draft agreement proposed; takes time to move through the County; October/November final draft; contract structure will remain the same as previous years.
- Sergeant Nelson was given a proposed copy of the wake zone modifications and the water patrol will be involved in this process.
- Family resource document: disparity discussion efforts aims to provide a coordinated response call: 612-979-9511 to start the conversation.
- January 1, 2024 emergence risk protection order (state red flag law): possessing/access to firearms support and assistance. MN statues 624.7171. and 624.7178
- State flag/State seal: mandated to update all seals by January 1, 2025, cost to county is roughly half-million dollars

### Open Forum

Mayor asked if anyone has questions on EAB: no questions

#### Potable Water Ordinance:

Councilmember McNaughton presented the potable water ordinance and spoke through the prepared slides and the JPA contract with the City of Plymouth. Councilmember asked for questions:

- Anticipated timing: Potable water hook-up most likely ready Spring 2025
- How many people have expressed that they will hook up?
  - Council does not have numbers on how many properties want to hook up
- Would council have numbers on how many will sign up at the March 2024 meeting
  - No.
- If it costs \$20,000 over 10 years with depreciation, would cost him roughly \$1300 per year
- Shaun Kennedy spoke on the three aquifers in the city
  - Shallow wells have PFACS (20-30 feet)
  - 90 feet or deeper wells filters out many of the hazardous chemicals
  - His well is 130 feet and has no PFACS
  - Unless you go deep you should convert
- Planning Commission discussed that if city doesn't hit the threshold the whole city pays through city tax.
- City of Bloomington will test your water if you bring in a sample; costs roughly \$100.
- We avoided an assessment to all by moving in this direction.
- After year 10 what happens: assess those who did not sign up?
- 136 count for the potable water connections (need 75% of this to avoid extra fees)
- Cabin community:
  - Cabin clusters have individual wells (many 5 wells for the 31 cabins)
  - How can the cabins citizens inspire the owner to put in well water
  - From the plan the cabins is looked at as one property
  - Cabin area will need to have its own watermain loop installed by the owner to provide water to each cabin
  - Not part of the city project
- Why the \$100,000 minimum for remodel to trigger the connection? The \$100,000 is a catch all for projects.
- Can the city get a bulk testing of well water?
- MDH website has a list of companies that will test your water
- Clarify the selling/advertise the sale/transfer on death: and the burden it presents to someone who is at the end of their life or hardship. What is the time frame requirement? Timing is open.
  - Potable water hookup has to be disclosed to the buyer as required
- Title review should bring up this ordinance for buyers
- Well permits are issued by the State, not the city. State needs to be aware of this new ordinance.

#### Jevne Park Project

- Kirsten Nielsen reported on Jevne Park Project progress.
  - Pavilion, playground equipment, natural play area, some paths, and native vegetation
  - Fundraising is at \$429,000
  - Current cost estimate is about \$530,000
  - Soil issues are driving costs up for structural support under the structures
  - Need to understand what support is needed under the playground
  - Want to move the large playground equipment to the center of the park area however that is where the soil quality is poor
  - In addition committee is not satisfied yet with the equipment selections
  - More time is needed to determine final decisions

- Questions:
  - Will any existing equipment be retained?
    - If the area is not touched, the equipment might remain
  - Additional parking? That is part of the road project.

Mayor Heim discussed how should the city proceed specifically with regard to the budget. Is the team close enough for council to provide approval to make some big purchases?

Comments: Do not spend money you do not have. Additional fundraising. What is the update on pickleball? No investments being made in the tennis courts. Pickleball has been removed from the Jevne Park project. Make a video interviewing families advertising the ideas/concert for additional fundraising. Explore a donation from a non-profit organization.

#### 2024 Street and Utility Improvement Project

- Councilmember McNaughton reported on updates
  - March 18<sup>th</sup> at the Hutton House: Road Project kick-off meeting
    - Veit will present the schedule along with SEH
- Mailboxes will be moved, temporary mailboxes will not be secured
  - Councilmember McNaughton has spent a lot of time on this topic and options are limited
  - US Post Office said no to locked mailboxes
- Project specific website will be up and running soon
- General schedule:
  - Watermain boring
  - Forcemain replacement
  - Curb stops
  - Pavement roadwork

**Motion to approve Ordinance 142 and ordinance regulating city water service within the City of Medicine Lake adopting Section 720 of the City of Plymouth, Minnesota Code forwarded by councilmember McNaughton and seconded by councilmember Heim. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer absent. Motion passed.**

**Motion to approve Resolution 24-08 authorizing publication of Ordinance 142 by title and summary forwarded by councilmember McNaughton and seconded by councilmember Heim. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer absent. Motion passed.**

#### Fire Department Report – Mike Fox

- No Reported

#### Public Works Superintendent Report – Chris Klar

- Reported on road restrictions (State may put on road restrictions sooner versus later)
- Reported on Pavilion work that Chris Klar will do himself this spring
- Discussion continued

**Motion to approve Resolution 24-09 ordering approval of expenditures for structural base material for Jevne Park base material for Jevne Park Project forwarded by councilmember McNaughton and seconded by councilmember Hovey. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer absent. Motion passed.**

Bassett Creek Watershed Management Commission Report – Clint Carlson/Shawn Kennedy/Susan Wiese

- Reported on the kick-off meeting for Medicine Lake assessment; budget is \$85,000. Will keep council updated on progress.
- Reported that the 10-year plan is in progress and the priority of this plan is to get Medicine Lake off of the impaired waters.
- MN watersheds: brought in a new lobbyist based in the twin cities focusing on environmental issues including salt contamination.

Planning Commission Report – Jesse Swanson (absent)

- No report

Treasurer's Report – Gary Englert

- Receipts in reporting period: \$3,013,077 (includes bond)
- Receipts year to date: \$3,013,077 (includes bond)
- Disbursements in reporting period: \$2,964,945 (includes bond transfer)
- Disbursements year to date: \$2,964,945 (includes bond transfer)
- Indebtedness GO Waste Water Bonds: \$885,000
- Capital Project Reserve Balance: \$3,700,994
- Debt Service Reserve Balance: \$152,049
- Reported GO bonds series 2024A Street & Utility Improvements Issuance
  - Separate pieces require separate reporting
  - First bond payment due February 2025, this money is set aside. Existing tax levy will cover all payments moving forward so no reason to raise taxes to cover these payments.
- Reported on semi-annual payment GO Bonds Series 2021A (waste bonds)

**Motion to approve the summary spending, receipts and cash balances through January 31, 2024 forwarded by Councilmember McNaughton and seconded by Councilmember Tomczik. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer absent. Motion passed.**

**Motion to approve resolution 24-10 a resolution accepting a monetary gift of \$16,500 from attached list to benefit the City of Medicine Lake Parks Department for Jevne Park forwarded by councilmember McNaughton and seconded by councilmember Hovey. Councilmembers Heim, Hovey, McNaughton, Shaffer in favor. Tomczik absent. Motion passed.**

Officer Reports:

Councilmember Hovey

- Reported city has secured Town Web as our new city website provider and waiting for initial meeting to move this forward

Councilmember Tomczik

- Reported on the HERC
  - Attended the tour/learning session last month at this location
  - Goal to shut down by 2028
  - 18/19 cities responded to the ordinance; City of Plymouth helped coordinate this effort
- Lake impairment issues; Tomczik met with other representatives on this topic (Plymouth, BCWMC, Three Rivers). Creating a goal to clean up the lake
- Wake boats/General wakes concerns:
  - DNR stated they will not get involved

Mayor Heim stated he appreciated the movement Councilmember Tomczik and others have taken on the lake quality and wake topics.

Councilmember Shaffer (absent)

- Has submitted her resignation as councilmember effective April 1, 2024
  - One person has expressed interest
  - March meeting: will hold introductions for those interested
  - Month of March: Councilmember Shaffer will train the new councilmember
  - April 1, 2024: New councilmember will be sworn in

Councilmember McNaughton

- Reported on the the I/I grant; awarded a grant just today of roughly \$125,000. We did get this grant last year however we did not use the money so we had to give it back.
- Councilmember McNaughton developed a team to look into recreational boat use on Medicine Lake
  - Members include Councilmember Tomczik, Shaun Kennedy, Plymouth representative, Three Rivers Park District representative.
  - This team was given access to tons of information including boat data that were launched at the public boat launch.
  - Gabe Jabour (spelling) has been involved with this team. He led the effort for the changes at Lake Minnetonka.
  - This team developed recommendations for Medicine Lake
  - Plymouth and Three Rivers contributed their recommendations
  - Medicine Lake to approve ordinance/JPA
  - City of Plymouth to approve ordinance/JPA
  - Three Rivers approves
  - Then goes to DNR to get solidified
- Propose to install buoys at 150' along east side of shore on Peninsula Road
- Propose to install a no-wake zone as shown in the figure at West Beach
- Propose to install buoys at French Park launch
- Presented a proposed JPA with the City of Plymouth
- Presented a modification to existing ordinance to create a no-wake zone at West Beach 24/7 area extending across the entire area
- Shaun Kennedy presented how this will help with lake impairment improvements
- Intent is to provide a safe use for all
- Councilmember Tomczik stated in his mind this is also trying to regulate water skiing along the east shore

Resident's questions: causation versus association at west beach, if there is a no-wake zone at west beach area can this also include no stopping (no wake/no stop); consider hours for the no-wake zone at west beach, is there a metric for measurements of benefits versus just controlling people, if this moves forward consider a smaller no-wake zone area, is your goal no wakes at the west beach area: yes. Is your goal a 300 foot no-wake along shore: No.

Next step will bring this topic to the Planning Commission. Then will bring to council for a vote.

Mayor Heim

- \$5,000 ash tree grant arrived
- Would like to have Medicine Lake items to have as gifts
  - Maybe this has to run through the community club

- Is there a restriction on gift giving

New Business

**Motion to approve Resolution 24-11 appointing election judges for the March 5, 2024 presidential nomination primary forwarded by councilmember McNaughton and seconded by councilmember Hovey. Councilmembers Heim, Hovey, McNaughton, Shaffer in favor. Tomczik absent. Motion passed.**

**Motion to adjourn forwarded by Councilmember McNaughton and seconded by Councilmember Tomczik. Councilmembers Heim, Hovey, McNaughton, Tomczik in favor. Shaffer absent. Motion passed at 8:59 pm.**

Respectfully submitted,

*Therese Polum*

Therese Polum  
City Clerk

Approved on: March 4, 2024