



MINUTES
CITY COUNCIL WORK SESSION
October 21, 2008

CALL TO ORDER

The meeting was called to order by Mayor Gilbert 5:34 pm.

Present: Mayor: Randy Gilbert; Council: Sam Rettinger, Sharon Henderson, and Jim Benson, Ben Goodwin

Staff Present: Interim Administrator / Finance Director: Terry Post; City Planner: David Abel; City Attorney: Andrea McDowell Poehler; and City Clerk: Jeanette Moeller

Absent: None

APPROVE AGENDA

A motion was made by Henderson, seconded by Benson, to approve the Agenda as presented. Ayes: all.

DISCUSSION ITEMS

Water Drainage Issue at 179 Meadow Lane

Interim Administrator Post reported that the owners of 179 Meadow Lane, Bill and Arlene McIntyre, had submitted a letter requesting the City review bid proposals received for their drainage project and take action. Post provided a history of the McIntyres' request to resolve a private storm water issue in their subdivision. Their drainage issue was extensively discussed recently by the City Council at their June 5 meeting, and at that time it had been the consensus of the Council that staff should assist the neighbors in meeting and working with the MCWD towards resolution of their drainage concern. Staff is seeking direction from the Council relative to whether the drainage issue is a public or private matter. Post also noted he and Public Works Director Wurzer had visited the site, and Wurzer had commented on alternative solutions to that proposed by the McIntyres.

City Attorney Poehler clarified criteria that could be used to determine whether the drainage issue is a private or public matter.

Council and staff discussed the circumstances of the McIntyres' request; potential alternative solutions and ongoing maintenance; and whether or not the City should participate in the resolution of the drainage problem.

The McIntyres and neighbors present individually offered comment on their expectations of the City, how the drainage problem was currently being addressed on a temporary basis by the residents, and their separate concerns with the solutions proposed.

It was the consensus of the Council that the drainage issue was a private matter, not public. The Council concluded that the neighbors need to meet to determine as a group what drainage solution they desire. Once agreement has been reached, the group should solicit bids for their desired project and could approach the Council again at that time to request City participation.

Request to Waive Conditions of Gear West PUD Amendment

City Planner Abel stated that a recent PUD amendment application was approved by the City Council at their October 7 meeting for the property located at 1810 West Wayzata Boulevard. The resolution adopted by the Council approved the PUD amendment with a total of nine conditions which were apart of that approval. Upon submittal of a temporary sign permit application, City Staff learned that a new retail shop occupying the old convenience store called "The Buckhorn" intends on opening their doors during the first week of November. The owners informed staff that they did not intend on fulfilling two of the conditions outlined in the approval until next spring. The two conditions in question are the demolition of the car wash and removal of the curve cut access point off Highway 12 along with apron. Staff informed the owners that all the conditions in the resolution that approved their application must be satisfied before the business could occupy that building. After much discussion with staff, Jan Guenther from Gear West submitted a request to meet with the City Council at their next work session to discussion this topic further.

Jan Guenther and her business partner discussed their reasoning for desiring to wait to remove the car wash and satisfy the conditions of their approval until spring.

Council members offered their individual opinions on the matter, and discussed their request as well as potential compromise solutions. It was noted a letter of credit could be withheld to assure the car wash was removed.

City Attorney Poehler provided direction on procedure for amending the PUD approval.

Mayor Gilbert asked that Planning Commission and City Council meeting dates be changed to allow them to both meet on November 6 and take action on the applicants' request. He directed Ms. Guenther and fellow applicants to review the staff reports and materials provided in detail prior to the next meeting.

Discuss Date for First City Council Meeting in December

Due to time constraints, it was suggested that this item be discussed later in the evening at the regular City Council meeting.

OTHER BUSINESS

Farewell Party for City Planner- Post said that a farewell party for departing City Planner Abel would be held after work on Wednesday, October 29 at the Red Rooster.

ADJOURN

Hearing no objection, Mayor Gilbert adjourned the October 21, 2008 City Council Work Session at 6:42 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk