

**- MINUTES -
CHASKA CITY COUNCIL
MAY 16, 2022**

1. Call to Order

The meeting was called to order by Mayor Windschitl at 7:01 pm.

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Hatfield, Hubbard, Huang, Mayor Windschitl, and Grau arrived late and recused himself from voting on 9A.

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Noel Graczyk, Administrative Services Director; Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; Parks and Recreation Director Marshall Grange; Nate Kabat, Community Development Director; Liz Hanson, City Planner; City Attorney; City Engineer Matt Clark; and Water and Sewer Director Matt Haefner.

4. Adopt the Agenda

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt the agenda as presented.

Motion carried.

5. Proclamation

5.A. Recognition of Poppy Days - Chaska American Legion Auxiliary - Unit 57

Mayor Windschitl read a Proclamation In Recognition of Chaska American Legion Auxiliary, Unit 57 declaring May 26, 27 and 28, 2022 as Poppy Days as a symbol of hope for all veterans who served this great country through military service and pay tribute to the war dead and aid the living veterans and their families.

6. Visitor Presentation

6.A. State of the Library 2022 Presentation - Heidi Hoks & Jodi Edstrom

Ms. Hoks and Ms. Edstrom addressed the Council and provided a presentation on the ways the library has changed in the past few years due to the pandemic and shared the events they have had recently.

7. Minutes

7.A. Approve April 18, 2022 City Council Meeting Minutes

Motion by Councilmember Hatfield, second by Councilmember Huang to approve the minutes of April 18, 2022 City Council meeting.

Motion carried.

8. Consent Agenda

Motion by Councilmember Hatfield, second by Councilmember Hubbard to approve the Consent Agenda Items A through L:

A. 2022-2023 Liquor License Renewals

Motion to approve liquor license renewals as itemized on Schedule A attached, effective July 1, 2022 through June 30, 2023, with contingencies as noted.

B. Consider Letter of Support for SouthWest Transit's FTA Program Applications

Motion to accept the Letter of Support for SouthWest Transit's FTA Program Applications.

C. Adopt Resolution 2022-51, Accepting Gifts and Donations

Motion to adopt Resolution No. 2022-51 acknowledging and accepting gifts to the City of Chaska received during the period January 1, 2022 through March 31, 2022.

D. Adopt Resolution 2022-52, Interconnection Process

Motion to Adopt Resolution No. 2022-52 Rules Governing the Interconnection of Cogeneration and Small Power Production Facilities for the City's Electric Utility.

E. Adopt Resolution 2022-53, Ratifying 2022 Cogeneration of Small Power Production Tariff for the City's Electric Utility

Motion to Adopt Resolution No. 2022-53 Ratifying 2022 Cogeneration and Small Power Production Tariff for the City's Electric Utility.

F. Adopt Resolution 2022-54, Support the Laketown Township State Bonding Request for the "201" System Feasibility Study

Motion to Adopt Resolution No. 2022-54, supporting Laketown Townships in the request for funds to be appropriated for the study in the upcoming State bonding bill.

G. Adopt Resolution 2022-55, Fair Housing Policy

Motion to Adopt Resolution No. 2022-55, approving a stand-alone Fair Housing Policy for the City of Chaska.

H. Adopt Resolution 2022-56, Creek Road Sewer Phase II – Congressional Support

Motion to Adopt Resolution No. 2022-56, approving support for congressionally directed support for the Phase II Creek Road sanitary sewer project.

I. Approval of Adjustments to Pension Benefits for Chaska Fire Department Relief Association

Motion to approve a Chaska Fire Department Relief Association benefit structure and related By-Law amendments first payable as of June 1, 2022, based on a benefit of \$3,400 per month of service for the monthly benefit and a benefit of \$9,304 per year of service for the lump sum benefit. Mayor Windschitl abstained voting on this item.

J. Adopt Resolution 2022-57, Approval for Tax Forfeited Land Sale Parcels

Motion to approve Resolution Number 2022-57 Providing approval for tax forfeited land sale parcels and authorizing the City Administrator to execute documents relates to sale of the parcels.

K. Property Easement Agreement - Creek Road Trunk Sewer Extension Street & Utility Improvements

Motion to Approve and Authorize Payment to Acquire Fee Title and Various Easement for Roadway, Sidewalk, Trail, Drainage and Utility Purposes Over Certain Property.

L. Adopt Resolution 2022-65, Authorizing the Commencement of Eminent Domain to Acquire Fee Title and Various Easement

Motion to adopt Resolution No. 2022-65, authorizing eminent domain acquire fee title and various easements for new street and utility improvements over certain property described herein.

M. Adopt Resolution 2022-58, Approving the Final Site & Building Plan and Final Plat for Chaska Creek Industrial Phase 3/Oppidan/PC #2022-29

Motion to adopt Resolution No. 2022-58 approving the Chaska Creek Industrial Phase 3 (aka Chaska Club West Industrial) (PC #2022-29).

N. Adopt Resolution 2022-59, Approving the Final Site & Building Plan, Final Plat and Sale of Excess City Land for West Creek Apartments/Community Asset Development Group/PC #2022-32

Motion to adopt Resolution No. 2022-59 approving the Final Site & Building Plan, Final Plat, and Sale of Excess City Land for West Creek Apartments (PC #2022-32).

O. Adopt Resolution 2022-60, Approving the Final Site & Building Plan for the Fieldhouse Addition at Southwest Christian High School/Southwest Christian/PC #2022-28

Motion to adopt Resolution No. 2022-38, authorizing City staff to send offer letters to the affected property owners for the Creek Road Trunk Sewer Extension Street and Utility Improvements Project.

Motion carried.

9. Action Items

9.A. Adopt Resolution 2022-61, Approving the Preliminary Site & Building Plan and Preliminary Plat for The Gallery Chaska Apartments/Chase Real Estate/PC #2022-21

City Administrator Podhradsky introduced this item and City Planner Hanson provided a presentation on this item.

Councilmember Hubbard asked how snow removal will be handled and why they don't have a playground in their plan.

Joe McElwain with Gallery Apartments and Chase Real Estate addressed the Council. He stated they will notify the residents a day prior to move the vehicles and if there is an ordinance or something prohibiting the parking on the streets they will address that accordingly. He stated they don't have a playground because their demographics don't support the need for a playground.

Councilmember Hubbard stated she feels strongly that they provide some sort of playground or tot lot for the residents especially because of the housing shortage there are many times families may need to rent short term and they should have a safe place to allow their kids to play.

McElwain with Gallery Apartments stated he understands her concern and will do some research and see what the costs and space needs would be to put in a tot lot and get back to the Council with that information.

Councilmember Hubbard stated they continually get emails and calls from residents saying they weren't aware this building was being put up and she would like to know what their plan is to inform people of these projects.

City Administrator Podhradsky stated they are planning to have a work session in the next month or two on this issue. He noted the Community Development staff has been extremely inundated the past few months. He stated it is important to review this with the planning commission so they are all on the same page. He added it is important to note that even with plenty of notice and sending notices they will always get feedback that they didn't know. They are meeting with other cities now to see what they are doing to address this issue and will find a way to incorporate those ways in Chaska.

Travis Olson, 1439 Sofia Drive, addressed the Council and stated the issue he has is that the things that were originally approved by the Council in 2020 such as the wetland being deeded to the City are not part of the plan. He stated the communication has been lacking and the neighborhood meeting held recently was more of the developer explaining what they are going to do and not having a conversation with people to get feedback. He noted there is confusion regarding multiple parking lot proposals in the plans, the open spaces, trails that include stairs which means residents with disabilities wouldn't be able to use the trail, the absence of a tot lot, and the number of trees being preserved and planted.

Wade Sorenson, 1456 Sofia Drive, addressed the Council and stated the size of the building is gigantic and the location isn't appropriate for it. He stated the building size is too big for the parcel size they are building on and the open space requirements seem inconsistent with the ordinances. He stated a lot of people have invested a lot of money into their land and it is going to be ruined by this building.

City Engineer Clark stated it the 17 acres are a single parcel and one PID. He noted if they wanted to make it two they would need to go through the subdivision process.

Councilmember Hatfield stated she understands the building is bigger but it is the type of housing the City needs and they want to be able to provide housing for everyone.

Councilmember Huang stated there are statements of fact and statements of opinion, and he would like to see a clear transparent view of this plan. He stated he feels the building is pretty large and that is his opinion but if they can make it work in the space they are proposing, then that is good because it is something the community needs. He noted there are a lot of things that need to be cleaned-up so they can clearly see the plan.

Beth Sanchez, Sofia Drive addressed the Council. She stated she did get a notice about the Planning Commission meeting in April but wasn't ever notified about the meeting in May. She stated she took it upon herself to print out flyers with the information about this project and knocked on doors of neighbors to make sure everyone was informed of what was happening. She noted the crosswalks need to be looked at and trails. She stated a reasonable size is 3 stories for the apartment building.

Greg Butler, 1355 Romeo Court, addressed the Council and stated he is concerned about the amount of traffic that will be coming through his neighborhood as a result of this project. He stated he requested a copy of the traffic analysis study and upon review asked a few questions and received no response. He noted if they proceed with this plan based on the traffic study

outcome, they would be approving a plan that is not accurate. He stated he finds it unusual that the traffic study was done in one day

Administrator Podhradsky stated even though they are done by the developers they are given to the City for their engineers to review for accuracy.

Councilmember Grau stated this conversation is very frustrating and wants to remind everyone why they are here, they all want the best for the City. He stated there is a lot of speculation being put out there and would like the tone to remain non-accusatory. He stated he is recusing himself from the vote since he was late to the meeting tonight.

Councilmember Hatfield stated it seems some people are splitting hairs over 3 units, and that won't make a difference. She stated the numbers will change again before the next meeting and it will be reviewed again, the pieces are always moving.

Community Development Director Kabat stated the purpose of the traffic study is to say that when at full capacity the roads could handle the amount of traffic there whenever that may be down the road in a year or two etc.

Jennifer Stoltz, Clover Preserve Drive addressed the Council. She stated she got the April notice in the mail about the meeting and that is the only communication she received for this building. She stated she is concerned about the traffic and speeding and adding the additional traffic. She noted she has seen Clover field grow over the years, and is all for growth but with the large proposed building there is going to be traffic and safety issues for their kids.

Jeremy Ely, 1368 Romeo Court, and Jonathan Board member addressed the Council. He stated he thinks the Council needs to understand that the sensitivity is coming from people not being informed of what is going on because they are not within the statutory distance to be informed of such projects. He stated he applauds the Council for addressing that issue. He stated he would like to know how he can help as an advocate and work with the City to help with safety of the kids in the area. He noted he doesn't think the building is too big and thinks the developers did a good job to match what the others look like in the area.

City Administrator Podhradsky stated they have spoke with Clover Ridge School and they discussed that the school has a high number of drop-offs and the traffic needs to be split between the north and south parking lot, so that is something they are working on and it should help.

Motion by Councilmember Hatfield, second by Councilmember Hubbard to adopt Resolution No. 2022-61 approving the Preliminary Site and Building Plan and Preliminary Plat for a 175-unit apartment building for the Gallery Chaska Apartments (PC #2022-21).
Motion carried.

Council recessed at 9:40 pm.

The meeting reconvened at 9:46 pm.

9.B. Adopt Resolution 2022-63, Approving the Preliminary Plat for the Eitel House/Jonathan Association/PC #2022-27

City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation on this item.

Councilmember Hubbard asked if they would need a variance to build a garage.

City Planner Hanson stated no, the garage would sit facing the house.

Councilmember Hatfield stated she hopes they can sell to someone who is going to care and love the house.

Ely stated they are prohibited from selling to a company or corporation. As a homeowners association they would want to sell to a person not a company.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Resolution No. 2022-63 approving the Preliminary Plat for the Eitel House (PC #2022-27).

Motion carried.

9.C. Adopt Resolution 2022-62 and Ordinance 1017, Approving the Preliminary Site & Building Plan and Zoning Ordinance Amendment (ZOA) for the Chaska Tech Center/Amcon Construction/PC #2022-26

City Administrator Podhradsky introduced this item and City Planner Hanson provided a presentation on this item.

The developer addressed the Council and thanked them for working with them and would like to ask that they can use a class 2 material to be used as a class 1 material. He showed the stone they would like to use.

The Council stated they would take it under advisement and let them know.

The Owner address the Council and stated they have seen a 28% increase on the materials and will need the proposed siding approved to move forward with the project, so he hopes they can make it work. He stated the next steps are that they will make a purchase agreement and developers agreement.

Motion by Councilmember Hatfield, second by Councilmember Huang to adopt Resolution No. 2022-62 approving the Preliminary Site & Building Plan for Phase III of the Chaska Building Center (Chaska Tech Center) (PC #2022-26).

Motion carried.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Ordinance No. 1017 approving the Zoning Ordinance Amendment (ZOA) to PMD-21.

Motion carried.

9.D. Adopt Resolution 2022-64, Approving the Concept Plan for Kusske Estates Property (Extension of The Harvest Neighborhood)/Tradition Development/PC #2022-25

City Administrator Podhradsky introduced this item and City Planner Hanson provided a presentation on this item.

Pat Wrase with Tradition Development addressed the Council. He stated they have had some prelim grading done and they are showing the site is fairly balanced so they don't need to do any of that necessarily.

Motion by Councilmember Huang, seconded by Councilmember Grau to adopt Resolution No. 2022-64 approving the Concept Plan for Kusske Estates Property, based on the conditions listed therein.

Motion carried.

10. Bills

10.A. Accounts Payable Council Roster 5-16-2022

Motion by Councilmember Huang, second by Councilmember Hubbard, to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Grau, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.

11. Other Business

11.A. City Administrator's Report

11.A.i. Bi-Weekly Report April 4, 2022

11.B. Other Reports

11.B.i. 1st-Qtr 2022 Investment Report dated May 16th, 2022

11.B.ii. Financial Rpts-Q1

11.C. Other Meeting Minutes

11.C.i. Planning Commission Meeting Minutes April 13, 2022

11.C.ii. Human Rights Commission Minutes 12-16-2021

11.C.iii. Human Rights Commission Minutes 02-24-2022

Councilmember Hatfield:

- Stated the Taste of Chaska is 5-9pm on Wednesday
- There is a Food Distribution at 12pm on Thursday
- Stated there are Open House tours Thursday 5:30-7:30pm and Saturday 10-12pm at City Hall
- Noted there is a Microchip, license Wellness and Vaccine Clinic for pets at Valley Free Church May 19th 3-6pm

Councilmember Hubbard:

- Stated there is a MN Arboretum open house on Thursday May 26th 4:30-6:30pm

- Noted she wants to send wishes and honor those who served and wish everyone a safe Memorial Day

Councilmember Huang:

- Thanked everyone for coming out and helping with Christmas in May
- Stated Chaska Bash fundraiser went well
- Noted June celebrates 50 years of Chaska women high school sports
- Stated they are having the CEO candidate interviews for SouthWest Transit on Thursday

Councilmember Grau:

- Noted the Chaska Classic went really well and thanked the parks and city works for cleaning up so well
- Stated congratulations to his son's team, the Chaska Boys 9AA team for winning

Mayor Windschitl:

- Stated on June 5th they are having a Fishing with Friends event
- Stated the Vets Club does a great job setting up Memorial Day events and encourages everyone to get out and see those starting at 10am

11. Adjourn

Motion by Councilmember Hatfield second by Councilmember Hubbard to adjourn the meeting at 11:24 pm.

Motion carried.