

- MINUTES -
CHASKA CITY COUNCIL
APRIL 18, 2022

1. Call to Order

The meeting was called to order by Mayor Windschitl at 7:00 pm.

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl

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; Jake Saufley, City Attorney; and City Engineer Matt Clark.

4. Adopt the Agenda

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt the agenda with the noted correction. Motion carried.

5. Visitor Presentation

None at this time.

6. Minutes

6.A. Approve April 4, 2022 City Council Meeting Minutes

Motion by Councilmember Grau, second by Councilmember Hubbard to approve the minutes of the April 4, 2022 City Council meeting.

Motion carried.

7. Consent Agenda

Motion by Councilmember Hubbard, second by Councilmember Huang to approve the Consent Agenda Items A through G:

A. Adopt Resolution 2022-39, Approving MnDot Master Partnership Contract

Motion to approve Resolution No. 2022-39 to enter into the MnDot Master Partnership Contract.

B. Adopt Resolution 2022-48, Approve Construction Plans for Downtown Chaska TH 41/CSAH 61 and Authorize Solicitation for Bids

Motion to adopt Resolution No. 2022-48, approving the construction documents for the Downtown Chaska TH 41/CSAH 61 Project, and authorizing the solicitation of public bids.

C. Letter of Support Trunk Highway 5 State Legislation

Motion to authorize the Mayor to sign a letter of support for Trunk Highway 5 state legislation.

D. Adopt Resolution 2022-40, Recommend Approval of the Final Plat for Reserve at Autumn Woods/Lennar/PC #2022-12

Motion to adopt Resolution No. 2022-40 approving the Final Plat for Reserve at Autumn Woods (PC #2022-12).

E. Adopt Resolution 2022-45, Approving the Lot Splits for the Kelzer and Chaska Investments Properties/DR Horton/PC #2022-24

Motion to adopt Resolution 2022-45, approving the Lot Splits on the Kelzer and Chaska Investments properties, subject to the stipulations included in said resolution and the following conditions:

1. Approvals shall be based on the following graphic exhibits:

a. Lot Split (Kelzer), prepared by Westwood, dated March 9, 2022 and revised March 16, 2022

b. Lot Split (Chaska Investments; Outlot A Clover Preserve 2nd Addition), prepared by Westwood, dated March 9, 2022.

F. Adopt Resolution 2022-44, Approving the Preliminary Site & Building Plan for Southwest Christian High School/Southwest Christian/PC #2022-19

Motion to adopt Resolution No. 2022-44 approving the Preliminary Site & Building Plan for the Fieldhouse Addition at Southwest Christian High School (PC #2022-19).

G. 2022 Union Contracts – LELS Lieutenants and Teamsters

Motion to approve employment contracts for 2022 between the City of Chaska and LELS Local 447 and Teamsters Local 320 with these agreements becoming effective January 1, 2022.

Motion carried.

8. Action Items

8.A. Adopt Resolution 2022-49, Public Hearing - 2022 Downtown Street Reconstruction Assessment Hearing

City Administrator Podhradsky introduced and provided some background on this item.

City Engineer Clark stated the property owners at 525 East 6th Street reached out regarding a deferral on their assessment late last week and noted they could not be in attendance this evening for the hearing but would like to be on record stating their request for further discussion. He stated staff agreed to put that information on the record on their behalf and will work with the property owners on next steps when they are back in town.

Councilmember Grau stated it's important to note the assessment fees haven't changed or increased since 2010. He stated keeping fees as low as possible allows them to work with residents and make it affordable for everyone.

Mayor Windschitl opened the public hearing at 7:16 pm.

No one wished to address the Council.

Mayor Windschitl closed the public hearing at 7:17 pm.

Motion by Councilmember Hubbard, seconded by Councilmember Huang to Motion to Adopt Resolution No. 2022-49 approving the assessment roll for the 2022 Street Reconstruction Project.

Motion carried.

8.B. Adopt Resolution 2022-47, Public Hearing to Consider Certification of Spring 2022 Delinquent Utilities

City Administrator Podhradsky introduced and provided some background on this item.

Mayor Windschitl opened the public hearing at 7:21 pm.

No one wished to address the Council.

Mayor Windschitl closed the public hearing at 7:22 pm.

Motion by Councilmember Grau, second by Councilmember Hatfield to Motion to Approve a Resolution 2022-47 approving certification of delinquent utilities and miscellaneous unpaid charges to Carver County for collection with the payable 2023 property taxes.

Motion carried.

8.C. Adopt Resolution 2022-41 and Ordinance 1014, Approving the Preliminary Site & Building Plan, Preliminary Plat and Rezoning for Cantissimo/Anasazi Holdings/PC #2022-01

City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation and background on this item.

Councilmember Grau asked if they plan to sell to a management company and if so, do they have one in mind already.

Todd Ofsthun, TCO design, addressed the Council and stated it is his understanding that they are going to keep ownership but will partner with a management company. He stated they have one in mind already, the same management company they use for the other properties.

Councilmember Huang stated the driveway is the only issue he has with the plan and it looks like they have a solution in mind already for that. He stated he appreciates the residents working with the developer to come up with a good compromise and solution.

Motion by Councilmember Huang, second by Councilmember Grau to adopt Resolution No. 2022-41 approving the Preliminary Site & Building Plan and Preliminary Plat for Cantissimo of Chaska (PC #2022-01).

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Ordinance No. 1014 approving the rezoning from Planned Residential District (PRD-38) to Planned Residential District (PRD-83).

Motion carried.

8.D. Adopt Resolution 2022-42 and Ordinance 1015, Approving the Preliminary Plat and Rezoning for Oak Creek/DR Horton/PC #2022-20
City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation and background on this item.

Councilmember Hubbard stated she is wondering how tall the height of the railroad is compared to the house height. She noted her concern is the landscaping they plan to put there won't provide much of a buffer if it will take years for the trees or shrubs to mature and grow. She noted she would like to see something there that can provide that buffer immediately if possible.

Mike Suel, D.R. Horton, addressed the Council and stated the railroad is about 14ft higher than the lot she is wondering about. He stated he understands her concerns and they will look at some options that will provide a good landscaping buffer sooner than later.

Councilmember Huang asked if there is a reason they cannot put the fence on the berm.

Mr. Suel stated if the fence was on the berm space would be an issue. He stated due to drainage and landscaping needs the houses would be left without any yard.

City Administrator Podhradsky stated this plan isn't much different than the several homes on Romeo Court and Ashley Street where the homes are situated similarly with the railway there.

Councilmember Huang asked if they will put additional insulation for noise in the housing.

Mr. Suel stated by fulfilling the Minnesota Energy Codes while building, they end up providing a good amount insulation already, which serves as a good noise barrier.

Mayor Windschitl called upon the audience for public input.

Ray Linder, 1401 Clover Preserve Drive, addressed the Council and stated he appreciates the staff and developer for working with the residents from the Clover Ridge area and taking their concerns into consideration and making changes as needed. He stated this plan is a drastic improvement compared to the last plan they saw. He noted his only concern is that he can see the fencing becoming a place for graffiti. He stated he doesn't know if it is necessary for the fence to be there but if they move forward with it he would like to make sure it is well maintained.

Community Development Director Kabat stated the fence isn't required legally but stated it is something the developer suggested and the staff saw as an opportunity to provide safety for the children and animals in the area. He noted the Jonathan HOA will most likely be responsible for maintaining it.

Pablo Murillo, 1466 Clover Preserve Lane, addressed the Council and stated he applauds the city and developer for balancing the economics while making sure the most important thing is taken care of; the safety of the children and families in the area. He thanked them for allowing

the residents to give their input and noted the only thing he could ask for is maybe some signage in the neighborhood to encourage people to drive slower.

Beth Sanchez, Silvia Drive (via Zoom), addressed the Council and stated she doesn't feel pushing something from some peoples yard into hers is a good solution or compromise. She stated this plan wasn't in the Comprehensive Plan for the City and feels it isn't a fair deal.

Travis Olson, 1439 Sophia Drive, addressed the Council and stated he would like to see tree preservation taken into consideration during the development of this site. He stated he feels there were many mistakes made in the previous phases of this plan and as a result the developer has more work to do now to make it right. He stated they previously discussed putting in a walkway connection on Sophia Drive that would go across the creek and into the development and they didn't follow through. He noted he would like to see the tot lot situated closer to the development if possible and would also like to know what type of signage they are planning to put in the area.

Council was asked if they can make the cul-de-sacs a little wider so school buses can turn around instead of having to back-up because that is unsafe for everyone especially for the children in the area.

Mayor Windschitl asked if in the plans there was ever a trail on the other side of the creek.

City Planner Hanson stated it was a condition put into place to explore possibly putting a trail in on the other side of the creek; it wasn't something they committed to doing.

Councilmember Huang explained that the trail that comes down off Sophia Drive from the cul-de-sac ends in a roadway because there is no sidewalk that connects it to trail on the other side of the street. He stated safety is a concern for kids coming down that pathway not knowing until they get down the hill that they have to cross a street to get to the other side of the trail. He noted making that trail continue would be important.

City Planner Hanson stated from a policy standpoint they don't include sidewalks in cul-de-sacs so that is not something they have explored previously.

Mayor Windschitl noted he got a letter from the Hartfords, local residents, asking about moving the trail. He stated he wanted to make sure it was addressed that they explored other options and locations for the trail but it came down to the fact that if the trail was moved, they would lose more trees and no one wants that. He noted D.R. Horton has gone above and beyond to help preserve as many trees as possible and they have done everything asked for in that aspect. He stated he appreciates the residents for providing their input and taking part in the process and feels that this plan is workable for everyone.

Councilmember Hubbard stated she echoes Mayor Windschitl and appreciates the feedback and input from the neighbors and residents.

Councilmember Huang stated the good news is from where they started and where they are, this plan has made a lot of progress and while there is room for improvement still, they have overcome a lot of the big issues. He stated they will continue to have the conversations with residents and developers to work out the best solution and maintain the community the residents have come to know.

Councilmember Grau stated he understands the concerns of the residents but he feels this is a good plan overall. He noted he does feel there was a missed opportunity though for them to bring two communities together by way of a trail connection. He stated it is always better to have residents bring forward their concerns and input at these earlier stages when they can ask for changes to a plan than for them to come forward later when they can't do anything, so he thanks everyone who provided their input and thoughts thus far in the process.

Motion by Councilmember Hubbard, second by Councilmember Huang to adopt Resolution No. 2022-42 approving the Preliminary Plat for Oak Creek (PC #2022-20).

Motion by Councilmember Grau, second by Councilmember Hatfield to adopt Ordinance No. 1015 approving the rezoning from Open (O) and Planned Multi-Use District (PMD-15) to Planned Residential District No. 85 (PRD-85).

Motion carried.

8.E. Adopt Resolution 2022-43 and Ordinance 1016, Approving the Preliminary Site & Building Plan, Preliminary Plat, and Rezoning for Clover Ridge Apartments/AV Development/PC #2022-15

City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation and overview of this concept plan.

City Administrator Podhradsky noted the reason some of these things are being discussed is to address an issue that some residents had brought forward, stating that they felt that some of these issues were not being addressed by City staff. He stated to make sure the residents know they have reviewed their concerns he asked City Planner Hanson to review some of these details to put their minds at ease. He noted they will notice that in the final plan there will be a variance of setbacks primarily to allow the City to maintain ownership of the wetlands in order to allow them to be maintained to the same standard as the others in the City.

Councilmember Grau asked what the vacancy number is for apartments in Chaska and noted if the City Attorney would like to provide any input on the application of the ordinances in this plan that would be helpful.

Vishal Dutt, AV Development LLC, addressed the Council and stated its low, about 3% for market rate.

Jake Saufley, City Attorney stated the zoning ordinances are adequately in line with the application and noted it is a unique area with the railway and wetlands.

Councilmember Huang asked if they could create a shortcut for the path through the parking lot.

Mr. Dutt stated it is due to the grading of the land in that location. He noted also with those wetlands right there it creates a nice neat opportunity to have it going through that.

Councilmember Hubbard stated she understands these apartments are probably more geared towards single people and not families necessarily, but is wondering if they could maybe look at adding a small children's play area for those few that do have children.

Mr. Dutt stated the children play area did come up during the planning meetings and they are looking into options for that and will bring their concept back for Council review at a later date.

Mayor Windschitl called upon the audience for public input.

Ray Linder, 1401 Clover Preserve Lane, addressed the Council and stated most people within the 350ft of this proposed building didn't get notifications so signage would be a good idea for these type of things. He stated the setback to the trail looks very narrow and the trail is right along the side of the apartments so maybe looking for options on that setback to allow for trees to keep the nature feeling along the trail would be nice. He noted the flat roof on the apartment is going to be the first thing people see coming into Chaska and with the utilities most likely being placed on the roof, it is going to ruin the nice view people see coming into Chaska so he thinks that needs to be considered.

Councilmember Huang stated he does wonder if they can make the building blend in a bit more with the neighborhood. He stated it is a bit jarring to see an apartment building there with a flat roof right there.

City Administrator Podhradsky stated it needs to be noted that this plan was proposed a long time ago, so while it may look different than some of the newer homes and buildings that have been built in recent years, it was part of an original plan that was designed to complement the neighborhood and fit the feel. He stated he understands the need to consider the newer designs but this has been in the works for a very long time and was designed to fit the designs that were established already.

Councilmember Huang stated he thinks it is important to look at the history of the City but times are changing and it is important to look at the current designs and make it fit as best as possible.

City Administrator Podhradsky stated the overall plan for the City is to make the trails and amenities of the City are accessible for everyone, regardless of income or type of housing they live in. He stated it should be noted that if they were to make the roof on the apartments not flat, they would be looking at a larger taller building and no one wants that.

Mr. Dutt stated they have been over ways to use this site many time and explored so many ways to make it work and this was the best way to avoid making the building taller. He stated

he appreciates the input and they will definitely look into more buffering and ways to blend it in as much as possible with the area.

Travis Olson, 1439 Sophia Drive, addressed the Council regarding the setback of 20ft on Clover Ridge Drive, he stated he would ask that they cut the building short so a precedent is not set to allow other future developers to request the same setback.

Beth Sanchez, Sophia Drive, addressed the Council and stated she stated it was mentioned in the past that they were going to preserve the Kelzer Farm as a historical site so people coming into Chaska could get that look and feel but as it is now the building doesn't fit. She stated she agrees with affordable housing but as they have it now she imagines they can see it from the Kelzer Farm and once they put the apartments in they can't take it back and hopes it is all taken into consideration.

City Administrator Podhradsky stated the part of Kelzer Farm that was part of the discussion Ms. Sanchez is referring to, is not the site adjacent to this site in question. He noted it is the part of Kelzer Farm in a different location.

Councilmember Hubbard stated she walked the area in the site plan the other day to get the neighbors perspective and better understand their concerns. She stated she understands that change is hard for everyone and gets their concerns. She noted the townhomes in the area are already three-stories and have a pitched roof, and while the apartments having a flat roof will have a little bit of a different look than other buildings and homes in the area, it will at least be close in height to the townhomes. She stated the feedback is that the community needs and wants apartments, and it's hard to find a place for them but this isn't the worst location for them. She noted the developers are taking input and looking at ways to make it better and blend it in with the neighborhood as much as possible.

Councilmember Huang echoed Councilmember Hubbard and stated there is a need for this type of housing in the City. He stated there are techniques in the "architectural toolbox" that he would like to ask that the developers take into consideration to minimize the feel of the height of the building and to make it more cohesively tied to other architecture around.

Ray Linder, 1401 Clover Preserve Lane, addressed the Council and stated the location they are discussing right now doesn't have the townhomes across the street like Councilmember Hubbard stated. He stated it is an open area across the street which is why it is important to find a way to keep the nature-like and open space feeling as much as possible there.

Councilmember Hubbard stated she apologizes, Mr. Linder is correct; she was confusing the site location with another in the neighborhood.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt Resolution No. 2022-43 approving the preliminary site and building plan and preliminary plat for Clover Ridge Apartments (PC #2022-15).

Motion by Councilmember Hubbard, second by Councilmember Grau to adopt Ordinance No. 1016 approving the rezoning from Rural (R) to Planned Residential District (PRD-84).
Motion carried.

8.F. Adopt Resolution 2022-46, Approving the Concept Plan of the North Water Treatment Plant
City Administrator Podhradsky introduced and provided some background on this item.

Community Development Director Kabat provided a presentation on this item. He stated the developer is looking for input on what color the roof should be; either grey or red.

Councilmember Hatfield stated she thinks it should be grey to blend in with the other buildings nearby.

Councilmember Huang stated he thinks it should match the Chaska Commons which has a grey roof.

Mayor Windschitl stated he thinks they should do whatever will help blend the building in the most. He noted he doesn't think they necessarily need to advertise that this building is a water treatment plant, so making it look like the others around it will be best.

The consensus of the Council was to have the developer move forward with a grey roof.

Motion by Councilmember Huang, second by Councilmember Hubbard to Motion to adopt resolution 2022-46 approving the North Water Treatment Plant - Concept Plan (PC# 2022-22).
Motion carried.

9. Bills

9.A. Accounts Payable Council Roster 4-18-2022

Council requested further information on page 4, 9, and 19.

City Administrator Podhradsky provided further information regarding those bills.

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

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report April 18, 2022

City Administrator Podhradsky provided an overview

10.B. Hawk Pride Recap

Councilmember Grau:

- Stated the City of Victoria is potentially putting in a gun range and wanted to bring this issue up so everyone is aware
- Stated the Community Recreation Advisory Board met recently and are moving to quarterly meetings going forward
- Stated Go Timberwolves!

Councilmember Huang:

- Noted several upcoming events: May 7th is Johnathon Spring Clean-up Day and Christmas in May, May 11th 5-9pm at City Square Park Taste of Chaska, May 13th Chaska Bash at the Event Center Fundraiser Chaska HS, May 14^h Jonathon Festival of Garage Sales, and July 29th-31st River City Days
- Congratulated Chaska Hawks on their first Robotics Team going to Nationals
- Congratulated Steven Kraus the new Fire Chief
- Noted they are still searching for a CEO position candidate for SouthWest Transit
- Noted he is disappointed Hy-Vee isn't going to be in Chaska

Councilmember Hubbard:

- Noted the Citizen Task Force met recently and she is excited to get things started
- Stated the Human Rights Commission is hosting the Green Card Voices exhibit at the Community Center
- Stated April 21st there is a Community Immigrant Voices Panel at the Chaska Community Center Theatre from 7:00-8:15 pm
- Noted she did a police ride along with Officer/Sgt. Duzan last Saturday thanked him for his time

Councilmember Hatfield:

- Stated there is a Food Distribution Thursday at 12pm
- Stated there is Coffee with a Cop on Saturday at 8:30 am at Red Bench Bakery
- Thanked the Chaska PD for all their help with speed control

Mayor Windschitl:

- Thanked the Leagues of Auxiliary for a great Easter Egg Hunt event
- Thanked Andrew Romine Interim Electrical Director who filled in for a long time and kept everything running seamlessly (City Administrator Podhradsky echoed his sentiments)
- Thanked Kevin Gravalin for filling in as Interim Fire Chief
- Congratulated Steven Kraus as the new Fire Chief
- Stated the Town Course is opening sometime this week
- Noted the water department is doing water hydrant flushing around town
- Stated May 4th is a Work Session primarily with a short regular meeting
- Noted several upcoming holidays: Today is National Lineman's Group Day, May 3rd is Armed Forces Day, May 1st-7th is Municipal Clerks Day, May 11th-17th National Police Week, May 1st-7th is National Teacher Appreciation week, May 4th is National Fire Fighters Day, May 6th-12th is National Nurses week and May 6th is National Nurses Day

11. Adjourn

Motion by Councilmember Grau, second by Councilmember Hatfield to adjourn the meeting at 10:42 pm.
Motion carried.