

**- MINUTES -
CHASKA CITY COUNCIL
AUGUST 17, 2020**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Kevin Ringwald, Community Development Director; Liz Hanson, City Planner; Luke Melchert, City Attorney; Noel Graczyk, Administrative Services Director; City Engineer Matt Clark; Nate Kabat, Assistant Administrator; and Matt Podhradsky, City Administrator.

4. Adopt the Agenda

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

5. Visitor Presentation

None.

6. Minutes

Motion by Councilmember Huang, second by Councilmember Grau to approve the minutes of the August 3, 2020 City Council meeting. Motion carried.

7. Consent Agenda

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

- A. Adopt Resolution 2020-64, Issuing a Negative Declaration for EIS for Oak Ridge
Motion to adopt Resolution No. 2020-64, issuing a negative declaration relative to the need for an EIS for Oak Ridge.
- B. Adopt Resolution 2020-66, Adopting the 2040 Comprehensive Plan
Motion to Adopt Resolution No. 2020-66 adopting the 2040 Comprehensive Plan.
- C. Adopt Resolution 2020-69, Creek Road Trunk Sewer Extension Street and Utility Improvements - Phase 4 Feasibility Study
Motion to approve Resolution No. 2020-69 ordering preparation of the feasibility study for the Creek Road Trunk Sewer Extension Street and Utility Improvements – Phase 4 Project.
- D. Adopt Resolution 2020-70, Approving Issuance of Governmental Refunding Bonds by the Carver County Community Development Agency, Series 2020B
Motion to adopt a resolution 2020-70 approving the issuance by the Carver County

Community Development Agency of its Governmental Refunding Bonds (City of Chaska, Minnesota Unlimited Tax General Obligation), Series 2020B.

- E. Adopt Resolution 2020-71, Approving to transfer official records of the planning commission to a digital format and preservation of historical copies

Motion to accept a resolution to transfer official records of the Planning Commission to a digital format and reservation of historical copies.

- F. Adopt Resolution 2020-73, Award Bid for Construction of Breaker 4 at the Minnesota River Substation

Motion to adopt Resolution No. 2020-73, awarding the bid for the Construction of Braker 4 at the Minnesota River substation to MP Systems Inc, in the low bid total amount of \$156,450.92.

Motion carried.

8. Action Items

8.A. Adopt Resolution 2020-67 and Ordinance 979, Approving the Preliminary Plat and Rezoning for Pioneer Vista/Lennar/PC #2020-15

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

Mayor Windschitl looked to confirm that a portion of the site crosses Clover Ridge Drive.

City Planner Hanson explained that the image portrays a straight line, but the site follows the road and continued her presentation of the item.

Councilmember Hubbard inquired about potential car headlight issues coming from Isabella Parkway.

City Planner Hanson stated that the representative from Lennar would be better able to address that inquiry.

Councilmember Grau asked if there are plans for snow piling during the plowing months.

City Planner Hanson explained the majority of the snow will go at the end of the cul de sac.

Councilmember Grau commented much of what ends up in the snow may likely find its way to the nearby wetland. He also asked if access from Pioneer Trail to the development has been explored.

City Planner Hanson stated it was briefly explored by the applicant and stated there would need to be many improvements to Pioneer Trail in order to incorporate an additional access.

Mayor Windschitl noted he is concerned that there are not any excess parking areas.

City Planner Hanson explained there are visitor parking spaces on the north side of the road to accommodate up to 27 parking stalls which meets the City's visitor parking requirements.

Councilmember Huang brought up concern for access for emergency vehicles if visitor spaces are used.

Community Development Director Ringwald stated they would be blocked in as would any other vehicle on a dead-end street in the same situation.

City Engineer Clark explained that the residential street section does accommodate parking on both sides while still allowing fire truck access to navigate the street.

Councilmember Grau echoed Mayor Windschitl's concern about lack of excess parking but commented he thinks the project is a good use of the unique space.

Mayor Windschitl inquired if the trail near the cul de sac is private.

City Planner Hanson stated it is private and will be maintained by the HOA and operate as a maintenance access for the pond if needed.

In response to questions from the Council, Josh Metzger with Lennar provided the following information:

- These residences will be owner-occupied.
- There is about ten feet between decks but there are not deck wall separations.
- Removing the space as shown in the concept plan between units 26 and 27 allowed for a shortening of the cul de sac and greater space for community open space area on the east end.
- Head light shine coming off Isabella Parkway is likely the same as any other home that sits opposite a T-intersection. Conifer trees could be accommodated in the landscape plan to help with screening.
- Any meltwater from snow piling would first be brought through the storm pond and be filtered through the wetland buffer as well.
- An access onto Pioneer Trail was explored by decided against for traffic and safety purposes.
- Excess parking issues should be mitigated now that the street will be a public street.

Mr. Metzger requested that the Planning Commission's condition for a tot lot to be reconsidered as they wanted this community to be a more open-space, natural environment. He asked that any decision to provide a tot lot be left up to Lennar and would be based upon market they are selling to.

The Council shared their thoughts regarding the Planning Commission's condition of the tot lot.

Per request of Mayor Windschitl, City Planner Hanson explained that a tot lot is not expressly called out as a requirement from the City's standpoint.

Councilmember Huang suggested revising the condition to accommodate the 50% sale prior to determining the addition of a tot lot.

City Administrator Podhradsky stated the location of this site is quite removed from any other playground structures, so it would not be illogical to have one here. He suggested making a decision for the tot lot based upon the location of this site to other play structures.

Mr. Metzger stated they can include the tot lot but would prefer it to be located in the play field area. He also asked for clarification regarding the condition in the resolution for the trail around the wetland.

City Planner Hanson explained that Staff requested the trail be mowed instead of mulched.

Motion by Councilmember Hubbard, second by Councilmember Huang to adopt Resolution No. 2020-67 approving the preliminary plat for a 54-unit townhome development on 17 acres of land (PC#2020-15). Motion carried.

Motion by Councilmember Huang, second by Councilmember Grau to adopt Ordinance No. 979 approving the rezoning from Rural (R) to Planned Residential District (PRD-76). Motion carried.

8.B. Adopt Resolution 2020-68, Approving the Variance to Encroach into Wooded Steep Slope and Setbacks for Tract B of RLS No. 117/Karyn & Nick Acevedo/PC #2020-16

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

Councilmember Huang inquired what is to the west of the property and how difficult it would be to get fire access to this site.

City Planner Hanson showed an image of the development to the west of this site and described hydrant requirements of the site.

Mayor Windschitl commented he was taken aback by this request and inquired if anything has changed since 1998 when the site was purchased.

Community Development Director Ringwald stated that since the City is the entity that approved this as a buildable lot in 1998, they are responsible to entitle the applicants to make this site buildable.

Mayor Windschitl asked if they can make their building footprint any smaller so as not to encroach on the slope.

City Administrator Podhradsky explained that the size required not to encroach on the slope would have to be 500 square feet and the question becomes what is reasonable.

Councilmember Huang inquired if the driveway could even be built without the variance.

City Planner Hanson stated that it could not.

Mayor Windschitl asked if a different access has been explored.

City Planner Hanson explained there is really only one access point.

City Administrator Podhradsky stated that the City can put restrictions on house size, but the risk is what a court would determine to be reasonable.

The Council and Staff discussed what scenarios could present themselves should the variance not be given.

City Administrator Podhradsky explained that Staff tried to approach this by looking at what the most reasonable solution would be that still preserves the essence and character of the site for what the public sees.

The Council shared their thoughts regarding the variance request.

Mayor Windschitl inquired if police and fire have looked at this location.

City Planner Hanson stated that they have.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Resolution No. 2020-68 approving the major variance request to encroach into wooded steep slope and its setbacks for a new residence on Tract B of RLS No. 117 (Zoning Ordinance 9.9.3) (PC #2020-16).

Mayor Windschitl expressed concerns about the build and rain runoff.

With all members voting in favor but Mayor Windschitl, the motion carried.

8.C. Adopt Resolution 2020-65, Resolution of Support for Carver County's Federal Funding Application for Highway 41 and CSAH 10 Mobility and Access Improvement

City Administrator Podhradsky introduced the item to the Council.

Jake Bongard with Bolton & Menk presented the item to the Council.

Mayor Windschitl inquired what the actual total would be.

City Administrator Podhradsky explained the restrictions for the regional solicitation funds.

Mr. Bongard clarified what each column indicates for expense.

City Administrator Podhradsky summarized Staff's discussion with the County regarding how this section of the road is the highest priority and the importance of finding a temporary solution for trail access in from the Community Center down to the trail ravine system. He then reiterated the benefit of this project.

Mr. Bongard explained that they are looking tonight to get buy-in for a letter of support.

Councilmember Hubbard inquired if the underpass section had been submitted.

Mr. Bongard stated that it had and went into further detail regarding that section.

Mayor Windschitl asked if putting this into the project now would be better since it would help with safer routes to school.

Mr. Bongard explained why that was split out.

Mayor Windschitl noted that a resident in the area of this project contacted him stating they are not getting the notices and stated they need to be sure they are properly notified for the next steps.

Motion by Councilmember Grau, second by Councilmember Hatfield to approve Resolution No. 2020-65 supporting Carver County's federal funding application for Highway 41 and CSAH 10 mobility and access improvement, and direct staff to work with the County to implement a trail connection along Hwy 10 connecting Ridge Lane to Old Audubon Road. Motion carried.

Mayor Windschitl commented that the decisions the Council makes are to be for the good of the citizens and the goal is to look out to the future.

8.D. Adopt Resolution 2020-72, Resolution to Deploy Funding Provided to the City by the CARES Act

Assistant Administrator Kabat presented the item to the Council.

Mayor Windschitl inquired if an extension for using these funds is possible.

Assistant Administrator Kabat explained it would be up to the federal level to make those decisions.

Mayor Windschitl asked if the County is able to use any monies returned by the City.

Assistant Administrator Kabat and City Administrator Podhradsky stated the County would be able to use it. Assistant Administrator Kabat then detailed the City's proposed priorities for funding through the CARES Act.

Mayor Windschitl inquired how much of this will be altered if the Library expansion occurs.

Assistant Administrator Kabat spoke into more detail about the need for the expanded library.

City Administrator Podhradsky detailed the difficulty in obtaining clarity as to how these monies can be spent and the difficulties of the time frame allotted.

Councilmember Grau commented how some of these improvements will be beneficial in the long run.

Leif Eikevik with Leo A Daly Architects summarized the proposed designs for the facility upgrades through CARES funds.

City Administrator Podhradsky spoke into further depth about the restructuring to accommodate break room and conference room needs.

Councilmember Hubbard asked what will to the current break room.

Assistant Administrator Kabat stated it will still be used as a break room but with limited number of users.

Mr. Eikevik went on to summarize the upgrades to the police department.

Councilmember Hatfield looked to confirm that patrol officers will use the new side door.

Mr. Eikevik stated that was the case and finished his presentation of the item.

Mayor Windschitl inquired how maintenance employees will handle the components that capture the virus.

Mr. Eikevik stated they do not need to change out any of the systems and further explained how these systems work.

Mayor Windschitl acknowledge the effort and time put into this study.

Councilmember Grau inquired how RJM was selected.

Mr. Eikevik and City Administrator Podhradsky spoke to the reasons behind RJM being selected.

City Administrator Podhradsky reiterated the vague guidance from the federal government regarding the use of these funds and how the City is left to determine whether the project meets their criteria.

Councilmember Huang commented that without completing these projects, City Hall cannot open to the public as-is under current CDC guidelines.

Assistant Administrator Kabat detailed the final proposed priority.

Motion by Councilmember Hatfield, second by Councilmember Huang to authorize staff to execute the identified priorities for funding provided by the Corona Virus Aid Relief and Economic Security (CARES) Act, and to approve Resolution No. 2020-72 authorizing execution of an AIA B133 Owner Architect Agreement with Leo Daly and an AIA A133 Construction Management Agreement and Exhibits with RJM Construction in order to deploy funding provided to the City by the Corona Virus Aid Relief and Economic Security (CARES) Act. Motion carried.

9. Bills

9.A. Accounts Payable Council Roster 8-17-2020

The Council requested further information about bills on pages 2, 3, 4, 6, 11, 12, 13, 16, and 22.

City Administrator Podhradsky provided further information regarding those bills.

Councilmember Grau noted the packs the City provided for Fishing with Friends were nice and that the event is really neat.

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

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 8-17-2020

10.B. Other Reports

10.B.i. 2nd-Qtr. 2020 Investment Report dated August 17, 2020

10.B.ii. Financial Reports – June 2020

Councilmember Hatfield:

- Thanked those involved with getting the polling places ready and running for the primary election. Mayor Windschitl noted Staff also participated in providing the election by being election judges and thanked them for that.

Councilmember Huang:

- Thanked the election judges.
- Reminded residents about the food distribution at St. John's on Wednesday, August 26 from noon-1:30 pm.

Councilmember Hubbard:

- Thanked the election judges and noted her husband was one and said the process went really well.
- Noted the window for CDA application for small business emergency assistance program opens today and runs to September 4th and that the housing stability program application is open as well.

- Noted the County is putting out transportation support funding and applications can be found on the County website.

Councilmember Grau:

- Noted Big Woods Boulevard officially opens tomorrow and the feedback coming in is good.
- Commented that the Touch a Truck event is not happening this year.
- Wished the Chaska Cubs good luck in their tournament run.
- Acknowledged the work put in by the Eastern Carver County schools in these hard times.
- Noted his son's 8th birthday is on Sunday.

Assistant Administrator Kabat:

- Noted the Joint Council-Human Resources work session is on Thursday, August 27, 2020 at 6:30-8:30 pm at the Event Center.

City Administrator Podhradsky:

- Noted there is a budget work session prior to the Council meeting on August 31, 2020 and noted a short meeting might be needed for the Carver County CDA if needed.
- Noted River City Days is canceled.

Mayor Windschitl:

- Noted if there is a Council Meeting on August 31, 2020, he will be gone and asked if anything needs a signature to please get it to him prior to that date.
- Noted Council Meetings in September are on the 14th and the 21st.
- Reported that the left turn signal on eastbound 61 to northbound 41 has been changed to an LED light.
- Reported the progress and timeline for the storm sewers around the Courthouse.
- Acknowledged the efforts put forth by Staff to complete the 2040 Comprehensive Plan.
- Inquired if the new doors are in at City Hall. Kevin Wright noted they are working on them.
- Thanked the citizens of Chaska for their participation in the primary election and noted Councilmembers Hubbard, Huang, and he are all running unopposed.

11. Adjourn

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adjourn the meeting at 10:20 pm. Motion carried.