

- MINUTES -
CHASKA CITY COUNCIL
SEPTEMBER 17, 2018

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 Schulz, Rohe, Geisler, and Mayor Windschitl.
Absent: Councilmember Boe

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

4. Adopt the Agenda

Motion by Councilmember Rohe, second by Councilmember Geisler to adopt the agenda as presented.

Motion carried.

5. Visitor

None.

6. Minutes

Previous meeting minutes were not available for approval.

7. Consent Agenda

Motion by Councilmember Schulz, second by Councilmember Rohe to approve the Consent Agenda Items A through B:

- A. Adopt Resolution No. 2018-127, Awarding the Bids for Chaska Creek Way Improvements - Phase 2

Motion to Adopt Resolution No. 2018-127 awarding the bid for Chaska Creek Way Improvements-Phase 2.

- B. Adopt Resolution 2018-124, Land Acquisition for TH 212 Interchange / CSAH 44 Improvements

Motion to Approve Resolution No. 2018-124 authorizing said offer letters to be sent to affected property owners.

Motion carried.

8. Action Items

8.A. Adopt Resolution 2018-123, Public Assessment Hearing to Consider Adoption of Phase 2 of the Chaska Creek Way Street and Utility Improvements Assessment Roll

City Administrator Podhradsky introduced the item to the Council.

Mayor Windschitl looked to confirm that the box culvert would be installed but not take it to the Creek Road.

City Engineer Clark stated this was so and that the developers only petitioned to put the box culvert in to allow site grading.

Mayor Windschitl inquired when that connection would happen.

City Engineer Clark explained that it was contingent upon area development.

City Administrator Podhradsky asked if by connection Mayor Windschitl meant connect to Creek Road.

Mayor Windschitl clarified that he wanted to know when it would be connected to Creek Road and then Creek Road the rest of the way.

City Administrator Podhradsky gave further details on the timing of that process and what it is contingent upon.

Mayor Windschitl asked if that was if the other side coming from the southwest Chaska would be done by Traditions or by Chaska.

City Administrator Podhradsky stated that Chaska is doing that and mentioned that there is some property left to be assessed up there and provided further details regarding what is left to connect.

Mayor Windschitl asked if this would be happening next year.

City Administrator Podhradsky explained it would not but reiterated that the nice thing about having the box culvert in is that it gives them the ability to do it whenever they want to.

Mayor Windschitl asked if they would need to obtain permits for the other side.

City Engineer Clark stated they would have to go through the same process.

Mayor Windschitl then asked if that permit process could start now, or if there is a timeline once the permit process begins.

City Engineer Clark explained that it will be dependent upon area development and noted that it is not immediate as all neighborhood accesses will be able to get out to the interchange.

City Administrator Podhradsky provided further clarity regarding the timing of this plan.

Mayor Windschitl stated that he was under the impression that the Hy-Vee would not happen until the roads go through.

City Administrator Podhradsky explained that the agreement says that when they decide to go, the City has to build it, but if they for some reason decide not to go, after 2020 the City has the ability to pull the trigger themselves and then those assessments automatically go against those properties.

Councilmember Geisler inquired if there are any updates on Hy-Vee.

City Administrator Podhradsky said they had not but referred to an article in the Star Tribune that listed Hy-Vee's upcoming projects next year and Chaska was not on the list. He noted that when Hy-Vee first talked to the City, they had estimated it would not be until 2020.

Councilmember Rohe asked if there is a point the City reaches with them and they reach with the City where it is decided it is time for them to move on.

City Administrator Podhradsky noted that Hy-Vee already purchased the property.

Councilmember Rohe commented that he would hate to see that key piece of property locked up.

City Administrator Podhradsky explained that they paid the assessments on the property and bought the property, so they have a significant investment in that property.

Mayor Windschitl stated that he had asked Hy-Vee initially if they ever buy property just to hold it, and they stated that they do not, that they buy property to build on and not to block others from building.

City Administrator Podhradsky noted that it is a very good location and some strategic reasons why Hy-Vee would want to be there.

Mayor Windschitl opened the public hearing at 7:11 PM.

Mayor Windschitl closed the public hearing at 7:12 PM.

Motion by Councilmember Schulz, second by Councilmember Geisler to adopt Resolution No. 2018-123 adopting the Special Assessment Roll for the Chaska Creek Way Improvements-Phase 2. Motion carried.

8.B. Adopt Resolution 2018-121, Approving the Concept Plan for Pinnacle/Pulte Homes (PC #2018-32)

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

Mayor Windschitl asked what would happen if the access is not approved.

City Planner Hanson stated that they developer would not move forward with the project.

City Administrator Podhradsky noted that he had conversations with them and they indicated they would do something and are trying to figure out what that would be.

Mayor Windschitl asked if the pieces of land that they need are encased in this project already.

City Planner Hanson stated that they are not and will have to do a land swap with the Crown of Glory Church site.

Mayor Windschitl inquired how they would swap land.

City Planner Hanson explained the proposed plan for that, and continued with her presentation of the item.

Mayor Windschitl looked to confirm that the old home, new home, pole barn and other outbuildings will be going away.

City Planner Hanson confirmed this was so and stated that they will be raising all the buildings on the site as exists today with the exception of the Hammer Saloon, which is dependent upon what the HPC wants to do. She then went on with the presentation of the item.

Mayor Windschitl asked why the land swap between the developer and the City is a good trade, as they obtain buildable land, and the City obtains unbuildable land.

City Planner Hanson stated that is a valid question and is one that can be discussed tonight.

The Council and Staff then discussed another proposed land swap within the project and the validity of it. City Planner Hanson explained that this one to the northwest would allow continuous connection to another piece of land the City will own.

Mayor Windschitl asked her to clarify what she means by another piece of land the City will own.

City Planner Hanson referred to a photo to clarify the location and the connection piece that would be obtained in the swap.

Councilmember Schulz stated that the piece to the north of the proposed land to swap is owned by the City as well as the piece to the south, so by obtaining that land, there is continuous ownership of that section of land.

City Planner Hanson stated it will provide the opportunity for utilities to be brought to southwest Chaska.

City Engineer Clark provided further detail regarding the utility options to serve that area and stated they have not fully vetted out that process yet.

City Administrator Podhradsky asked Mayor Windschitl if his concern was not that this swap be included in the development but the question of whether there is enough value to the City that they would swap the land as opposed to selling it.

Mayor Windschitl looked to clarify that piece of land off the Creek Road that the City owns is not the same sliver of land being proposed for the swap.

City Planner Hanson used the map to show which two pieces of land to the northwest are being considered for the land swap.

City Administrator Podhradsky commented that he sees that Mayor Windschitl is asking what the value is to the City to allow the land swap. He suggested having Staff do an analysis and coming back during the preliminary process to share the findings.

City Planner Hanson stated that by the preliminary process Staff would know where the wooded slopes are delineated so will have more knowledge on the actual raw acreage.

Mayor Windschitl stated that it just did not make much sense to him.

City Administrator Podhradsky commented that it is a fair concern and Staff will look into it.

City Planner Hanson continued her presentation of the item.

City Administrator Podhradsky provided further clarity on the dedication fee.

Mayor Windschitl asked about the distance from the park for the residents in the south.

City Administrator Podhradsky commented that those residents have other amenities available to them closer to their location.

Community Development Director Ringwald noted that Staff looked at the area and the amenities within and determined they would not put another play structure into this park.

City Planner Hanson continued her presentation of the item.

Mayor Windschitl asked if the slope in the second public park will be going away.

Staff confirmed it will.

Councilmember Schulz inquired if there is any plan for buffers for the residents in the adjoining area.

Community Development Director Ringwald noted that the first property owner on highland drive was at the Planning Commission meeting and requested some level of screening on the west side. He noted that this is a concept plan, so they are merely taking in all the information and including that as part of what the applicant needs to look at when they are doing their preliminary plans.

Mayor Windschitl asked if there will be screening where the lots butt up to the cemetery.

City Planner Hanson stated she is not of any screening proposed there at this time.

Mayor Windschitl suggested Staff have a conversation with the applicant about that being that this is the concept plan.

Paul Hoyer, representative of Pulte Homes, 7500 Flying Cloud Drive Ste. 670, Eden Prairie, introduced himself to the Council. He noted they have been studying the property for about a year and have conducted a lot of research. He gave a presentation to the Council regarding what they are proposing and how they came up with the concept plan, as well as details of the proposed development.

Councilmember Rohe questioned the fact that they are not going to advertise this development as a Del Webb community.

Mr. Hoyer stated that with a high-quality, well-known brand, there are criteria that exist at a minimum to maintain that brand, and this proposed community would not be large enough to do so.

Mayor Windschitl agreed with Councilmember Rohe and stated that they are not that short of the 300 homes necessary to build a Del Webb community, so it seems strange not to use that opportunity.

Councilmember Schulz stated that the area is not big enough to provide the homes and amenities for a Del Webb process.

Councilmember Rohe suggested Mr. Hoyer think about it prior to the preliminary process.

Mr. Hoyer stated it is unlikely, but he is trying to get approval.

Councilmember Rohe said that to him, not labeling it as Del Webb will send the message that this community is not as good as a Del Webb community.

Mr. Hoyer asked in what way would it not be as good.

Councilmember Rohe commented that they have the opportunity to make a really awesome community and should look at it as a challenge to see how to produce a "light" Del Webb community. He stated it would be great to have a Del Webb community in Chaska, and the difference between labeling it Del Webb and Pulte is like the difference between a Bentley and a Ford; it is not that the Ford is not a great car, it is just that there are many of them around. He reiterated that they do a lot of unique things in Chaska and asked Mr. Hoyer to take another look at making it a Del Webb community and that perhaps Chaska is the best place to start with the smaller Del Webb communities.

Mr. Hoyer stated he would take that back to corporate.

Councilmember Geisler agreed and said it would be great to create the standards for a smaller Del Webb community.

Mr. Hoyer continued his presentation regarding the details of the development.

Mayor Windschitl asked if they would be City-owned streets or private.

Mr. Hoyer replied that they would be City-owned.

Mayor Windschitl asked what the "Pinnacle" piece stands for.

Mr. Hoyer stated that it is up on a bluff so he called it Pinnacle, but that the marketing folks may end up trumping that name for another.

Mayor Windschitl stated that he is excited for the proposed single-level living and he really likes the piece of property.

Councilmember Geisler commented agreed that the single-level living is nice and allows for the independence people are looking for.

Councilmember Rohe mentioned that he appreciated the thorough presentation by Mr. Hoyer.

Kevin Vranicar, 1230 Moers Drive, stated that he is concerned that the Parks Board has taken away a few amenities that the developer has proposed, namely the park. He noted that in the 2030 Comprehensive Plan it is planned to double the size of the park or at least extend it. Mr. Vranicar explained that to state that the proposed park is not needed is a slap in the face and disservice to the residents of this community. He then questioned why City Council would not make getting the connection to Hwy 41 a condition of approval.

Mayor Windschitl commented that the developer has stated that if the access point does not come through, they will not be able to go ahead with the project.

Mr. Vranicar argued that the Council should protect itself and require the access point.

Community Development Director Ringwald noted that they must be careful, because what they would be saying is that if they do not get the access to Hwy 41, the property is undevelopable.

Councilmember Schulz commented that he sees where Mr. Vranicar is coming from, but that this is not the time in the process to implement this.

Mr. Vranicar stated that if he were the developer, he would want to know if he would have that access prior to spending money on an environmental assessment study, or staff spends time looking at the project.

Councilmember Schulz mentioned that developers go down this path all the time.

Mayor Windschitl added that they probably have a pretty good idea or they would not be this far into the process.

Mr. Vranicar asked where the comments from the Park Board came from as he feels some of his concerns should be addressed directly with the Park Board. He referred to the memorandum from September 5th located in the Council Agenda Packet and reiterated that he believes that their recommendations are at odds with the Comprehensive Plan and the current Planning Commissioners visions. He stated that he does not understand why they are against that park.

City Administrator Podhradsky provided further detail into the reasons the Park Board gave those recommendations.

Councilmember Geisler inquired what would have become of the park area in question.

City Administrator Podhradsky replied that it would have been an open field, and noted that if the City did not take this land as park land dedication, the developer would include it in their development for housing.

Mr. Vranicar stated that this is one of his concerns as he expected open space there in accordance to the Comprehensive Plan.

City Administrator Podhradsky explained that if this were developed as a neighborhood park, it would be the current play structure and field, with an extension to the field.

Mayor Windschitl commented that this park is like any other neighborhood park.

Mr. Vranicar stated that it was to be expanded.

City Administrator Podhradsky reiterated that if it were expanded, it would just be more field.

Mr. Vranicar asked about the park fees that would be collected as part of this development.

City Administrator Podhradsky explained how park fees are used.

Mr. Vranicar asked if there is any plan for the current park space there to expand any of the amenities that are there.

City Administrator Podhradsky stated that only the field would be expanded as per the master plan.

Mr. Vranicar commented that he would hate the Park Board to pass on this extension and have the land become housing.

City Administrator Podhradsky explained that they would pass along these comments and concerns to the Park Board.

Brian Weldon, 1155 Moers Drive, noted that the transition areas around his neighborhood was not clearly addressed at the neighborhood meeting on September 6, 2018. He stated that there does not appear to be a buffer planned for his neighborhood. He mentioned he would like the unique, Del Webb look coming in as opposed to track housing. Mr. Weldon also commented that the separate entrance to the proposed development that they had said would be evident does not appear to be evident. He asked for further clarification on the park land.

City Administrator Podhradsky gave further detail regarding the park land process.

Mr. Weldon asked what would happen if the City owned it.

City Administrator Podhradsky explained if the City owned that, it would be because they'd expanded the park.

Mayor Windschitl mentioned that these comments will be brought to the Park Board.

City Administrator Podhradsky stated they will have them brought back formally to a future meeting. He noted that before the City sees anything that nails down more of what this is, they will have the Park Board's formal comments come back and Staff will make sure they are incorporated in.

Mayor Windschitl commented that it does appear to be rather open around Moers Drive.

Councilmember Schulz stated that as he said before, more could be done to transition or buffer that area.

Motion by Councilmember Rohe, second by Councilmember Geisler to adopt Resolution No. 2018-121 approving the Pinnacle Concept Plan for a 257-lot subdivision on 86 acres of land (PC #2018-32). Motion carried.

8.C. Adopt Resolution 2018-122, Authorizing the Preparation of the EAW for the Pinnacle Residential Development on Hammers Property at 1084 Cardinal Street

Motion by Councilmember Schulz, second by Councilmember Geisler to adopt Resolution No. 2018-122 authorizing staff to begin the EAW preparation process for the proposed Pinnacle residential development by Pulte Homes. Motion carried.

8.D. Adopt Resolution 2018-125, Establish Preliminary City Tax Levy for Taxes Payable 2019

City Administrator Podhradsky presented the item to the Council.

Councilmember Rohe inquired if street overlay is different from street reconstruction.

City Administrator Podhradsky replied that it is.

Councilmember Rohe asked when Louisa will be done.

City Administrator Podhradsky explained the seal coat is coming off, but that the road structure is in good shape there.

Councilmember Rohe then inquired how streets like Louisa make it but Christian Drive does not.

City Administrator Podhradsky provided further clarity into that determination.

Councilmember Rohe asked when Christian Drive will be done.

City Administrator Podhradsky stated he will look into that and get back to him.

Councilmember Geisler inquired if the bridge that will connect next to Lake Grace under the tunnel is part of this.

City Administrator Podhradsky explained that was not part of the CIP but was part of the construction project.

Mayor Windschitl asked if something was changed in the \$120,000.

City Administrator Podhradsky replied that athletic park improvements were in there and that there is a little bit more time that they can do that.

The Council discussed the need for the bathrooms to be redone at Lion's Park.

City Administrator Podhradsky then continued his presentation of the item.

Mayor Windschitl asked about the cost of the Police body cameras.

City Administrator Podhradsky replied that he did not have that number in front of him but as it gets closer to the budget, he will have an exact number.

Mayor Windschitl inquired why this would not be included under new funding items.

City Administrator Podhradsky explained why they are not considering it as new funding but how they are using existing resources and are not recommending any increase in the tax levy to support that. He then continued his presentation of the item.

Mayor Windschitl stated that while many were hoping not to see an increase, \$40 may not seem like a lot, but stated that it might be for some people. He commented that Chaska is growing and they need to grow with that or could run into trouble down the road. He noted that the Council sees the same tax impact as well and that if these small increases are not made, down the road there will be large increases.

The Council discussed how the new CSO officers are one of the reasons for the increase and how these positions will be beneficial and are ways the City is able to provide quality services to the residents of Chaska. They also noted that with an increasing population, more CSO officers are needed, which justifies the minimal increase.

Mayor Windschitl reiterated that the budget will not go up from this point, but could potentially be lowered; however, that would be unlikely.

Motion by Councilmember Rohe, second by Councilmember Schulz to adopt Resolution No. 2018-125 adopting the proposed assessed 2018 payable 2019 maximum property tax levy. Motion carried.

9. Bills

9.A. AP Council Roster 9-17-18

Motion by Councilmember Geisler, second by Councilmember Rohe to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Schulz, Rohe, Geisler, and Mayor Windschitl. Voting nay: None
Motion carried.

10. Other Business

- 10.A. City Administrator's Report
- 10.B. Biweekly Report
- 10.C. Financial Reports - As of July 31, 2018

Councilmember Rohe:

- Commented that the Hwy 41 project looks great. Councilmember Geisler inquired about the double turn lane going on to Hundertmark. City Administrator Podhradsky provided further clarity about that turn lane. Councilmember Schulz commented that the retaining

wall on the Target corner is quite steep. City Engineer Clark stated that it could be the right-of-way and he will follow up on that.

Councilmember Geisler:

- Noted there will be an open house for the 212/44 Interchange Project on Wednesday, September 19 from 5-7 pm at the Chaska Event Center.
- Noted the Dollar Tree is opening September 27, 2018.
- Reminded the Council the Downtown Street Party is at noon on September 29, 2018, and Guardian Angel will be holding their Fall Feast next door.
- Asked City Administrator Podhradsky to speak to the Miracle Field timeline. City Administrator Podhradsky gave the details of that schedule

City Administrator Podhradsky:

- Noted that Veteran's Park is looking great and the ceremony to dedicate it will be on Veteran's Day. He also explained the challenge coin display for the park.

Assistant City Administrator Kabat:

- Noted the Audubon/Engler grass area will be undergoing a prairie grass restoration. City Administrator Podhradsky mentioned Community Development Director Ringwald will be putting out an education piece for the public as it usually looks worse before it looks great.

11. Adjourn

Motion by Councilmember Rohe, second by Councilmember Schulz to adjourn the meeting at 9:33 pm.

Motion carried.