Chaska Park Board
Meeting Minutes
December 14th, 2020
Zoom

1. Call to Order

The December 14th meeting of the Chaska Park Board was called to order by Chair Dave Roan at 7:00 pm via Zoom.

2. Roll Call

Zoom attendance: Dave Roan, Jason Branch, David Downs, Matt Udermann, Liz Wyveen, Georgiann Keyport, Zac Saueressig

Absent: Joshua Ives, Ernesto Ruiz Gutierrez

Staff: Marshall Grange, Mary Monteith, Mike Tudor-IS assistance

3. Adopt Agenda

Motion by Udermann, second by Keyport to adopt the December 14th, 2020 meeting agenda.

Roll call for approval, Motion Carried

4. Visitor Presentation

None in attendance

5. Approve Previous Meeting Minutes

5A. Motion by Downs, second by Udermann to approve the Chaska Park Board meeting minutes of November 9thth, 2020.

Roll call for approval, Motion Carried

6. Receive Council and Planning Meeting Minutes

6A. Council Minutes November 2nd

6B. Council Minutes November 13th

6C. Council Minutes November 16th

No Planning Commission Minutes

7. Action Items

Grange recognized those finishing their terms of office.

Matt Udermann will now be representing residents of Carver County District 3 as their new County Commissioner. Congratulations Matt.

Josh Ives was recognized for finishing up his nine-year term on the Park Board. Grange mentioned that Ives was very welcoming to him when he first came on at Parks and Recreation. Thank you for your years of service.

Jason Branch is finishing his first 3-year term as well as Dave Downs finishing his 6th year term, both are up for reappointment with the Council in January.

Board Chair Dave Roan is finishing up to at least 20 years serving on the Park Board. An incredible amount of service to Chaska. We enjoyed meeting with Dave last week and going down memory lane on the various partnerships and projects he was a part of. Thank you, Dave, for your commitment to the Park Board.

The City Council will be recognizing these individuals for their commitments at a Council meeting in February. We will let you know that date once established.

We also tonight need to make a recommendation to the Council for both the 2021 Park Board Chair position as well as the Vice Chair position.

7A. Nomination for 2021 Park Board Chair

Roan asked for nominations for the 2021 Park Board Chair

Branch made a motion to nominate David Downs for the 2021 Chair position.
A second was made by Udermann. Downs Accepted.

Roll Call for approval-Motion Carried

7B. Nomination for 2021 Park Board Vice Chair

Roan asked for nominations for the 2021 Park Board Vice Chair

Roan made a motion to nominate Jason Branch for the 2021 Vice Chair position.
A second was made by Downs. Branch Accepted.

Roll Call for approval-Motion Carried

These board nominations will go before the Council for approval at their December 21st meeting.

8. Discussion Items

8A. Arts Consortium of Carver County (ACCC) Update

Grange updated the Board on where things are at. The Council approved the Letter of Intent at their November 16th meeting. Staff have been working on the details of the lease specific to the use of the cafeteria/storage areas, as well as the art gallery space. Also addressed was additional use of the P/R conference room for monthly ACCC board meetings. The lease also recognizes that the City reserves up to 12 weeks per year of gallery use.

The Memorandum of Understanding has been submitted to the City attorney for review, as well the ACCC board, if no issues, it will go to the Council for final approval on Monday, the 21st. Then we would start the lease agreement Jan 1st, 2021.

Roan asked if the retail shop has been open, and what the hours are. Currently they are open M-F, 11am-6 pm and Saturdays 11am-4pm. Grange encouraged the board to stop by and shop.

Downs, I was there last week, I was impressed, they have some very nice things. Are they open to the public? Yes, they are. Downs was concerned maybe people think they are closed since the CCC is not open. Grange, we have been talking with them on some marketing ideas to help get the word out, we inquired about a video walk through of the store. More foot traffic in the building would be good!

8B. Facilities and Operations Update

Grange gave an update on where things are at with the Community Center. Shortly after our last board meeting, we were required by the Governor's Order to close the facility again. We paused our memberships and furloughed most of our part time staff, we still have need for some evening/weekend staff. This Wednesday the Governor is to have an update on things. All FT staff have been doing facility training during this time, as once we re-open, FT staff will be working some of the facility operations. With not offering the typical programming, and mindful of where the budget is at, we need to offset some of our operating costs. We will maintain a couple fitness instructors and lifeguards. Saueressig, any indication of what the message is going to be from Walz? Grange, not really. I have heard a couple different thoughts, 1) Re-Open on the 19th, 2) Open on January 4th, 3) Open Jan. 18th. Not sure on this one. Saueressig shared the school district will stay with distance learning moving into mid-January. Grange, we really have learned to be flexible around here!

The Community Center and Curling and Event Center budgets were reviewed at Council work sessions these last couple months. They will now be on the Council's agenda for formal approval at this Monday's meeting, I encourage you if you have time, to watch the meeting.

An update to 2021 CCC membership rates, with your feedback at last month's meeting, staff discussion, and shutting down the facility once again, we ended up recommending to Council to not raise 2021 rates. The information I shared last month was part of a 5-year plan that normally we would have followed. After further talk, we recognized it is just not the right time to be raising rates on our members. We plan to hold tight for the year.

Staff talked quite a bit with Council on the upcoming Community Center 30-year anniversary. It was recognized what a primary asset the CCC has been to the City as well as the value it brings to the community. Discussion was also had on identifying a masterplan for moving us forward to ensure that we keep the Community Center as sustainable long-term as we can. More to come as things are better defined, we will be seeking community engagement and creating a task force as well. We are excited for the process. Saueressig, questions on timing, and how many people for the task force? Grange, we still need to define all of that yet. Will discuss in January or February. We will look for a representative from our membership base, District 112, the business community, various sports association as well as a park board representative. There will be plenty of opportunities to help shape things within this plan.

Grange shared that we have had to address a couple capital improvement projects that we were not expecting, one is a new ice resurfacer. The current one has surpassed its life expectancy; we need something more reliable. We are working with our electric department on an opportunity that may be available via a rebate program for an electric Zamboni. This potentially could help fund it. Staff are working through the details on that.

The second issue is the pool, when we painted the bottom of the pool this past spring/summer, we did not resurface the interior lining of the pool due to the budget. Since then, it has become evident that the current underlining (Diamond Brite) is chipping down to the concrete, and that has created algae growth, which is a health concern. We will address this while we are shut down, staff have already started this week with draining the pool. Disinfection of the pool will occur, as well as relining again of the pool with Diamond Brite. At the same time, we will be converting back to chlorine. Chlorine kills germs better and is more cost effective than Bromine. It also will help with the water clarity. With newer technology on filters, they can knock down that chlorine smell and irritation. The pool should be open again mid-January.

Udermann, questions on the Zamboni, can you do some sort of sponsorship program with the boards to help bring in some revenue? Yes, staff are already looking into this.

The Curling and Event Center has also had to close per the Governors ordinance. We were in the middle of Winter 1 leagues. Upon closing, we surveyed the members and got good feedback on moving forward. We will probably forgo W1 and start W2 as scheduled. We do still have our USA high-performance athletes practicing.

8C. Recreation Programming Update

Recreation Programming-this has been so difficult to plan with all the uncertainty. We currently are doing one month at a time as things change so quickly. There is some optimism with the vaccine, so thinking we can plan further out, to maybe spring. For now, we have continued with smaller programming ideas. I have challenged staff to start thinking ahead to Fire and Ice and what more we can offer with that event. People are going to want to be out next summer having fun!

Grange shared some of the recent events that have been happening: A virtual fitness challenge, a winter walking program, the introduction of Snowflake the elf, who is making his way around the building and sharing his location via social media. Staff held a Gingerbread decorating contest, and last week we hosted a drive through holiday party for AOA's. Santa came and helped hand out gift bags to AOA's as they came through the parking lot, a super festive mood. There also is currently a New Year's Eve party pack available for families, which includes games and crafts. Staff have gotten real creative with ideas to help provide area families with some fun!

This staff will also be a part of assisting at the front desk of the Community Center upon reopen.

8D. Lake Grace Trail Update

Grange shared an update on the trail connection to the Highway 41 underpass. The bid opening for the bridge component was this past week. Per the city engineer, 8/9 bids came in, the lowest one came in at $300,000, which is where we were estimating. Staff will take information to Council for approval next week and then award the bid. It will be about an 8-to-10-week project, we are hoping work will take place over the next couple months, weather and road restriction dependent. We are looking for a June completion. Brian Jung from Public Works has been working with a contractor on property access to move forward with tree removal. Things seem to be coming along.

8E. Chaska Cares Update

Grange recognized some of the great things the group has been doing throughout the pandemic. The group consists of Erin Link, Joan Seedorf, Julie Janke, Kevin Wright, Sarah Anderson, and Grange. The goal has been to attempt to reach out and help those who are the most vulnerable in the community and to lift spirits. Recently, various staff on Thanksgiving Day partnered with St. John's Lutheran church and delivered 200 meals to seniors living in Chaska. We also assisted with a winter clothing drive, which had a great response for families in need. The Toys for Tots drive also was a huge success working with Santa and the VFW, which was set up as a store for parents to come and shop.

Last weekend, Chaska PD and Target held their annual Heroes and Helpers event. Officers shopped with list in hand for 29 families and multiple volunteers helped with the wrapping.

This Thursday is another food distribution event at Gedney. Staff will again be on hand to deliver food to Chaska homebound seniors who have signed up ahead of time.

285 goody bags will also be handed out to AOA's at a senior parade in front of the Lodge this week. We currently are looking for puzzles, books, hot coco, etc. for the bags.

The holiday season will be capped off this year with a Santa parade happening on Dec. 23rd, this will be like the Easter and graduation parade held last spring. The parade will start at 4:30 on the 23rd and will make its way throughout Chaska with Santa in the lead, and police and fire following. Hoping for good weather! There will be a trackable GPS on social media so you can check where Santa is.

9. Other Business

9A. Board Reports

Wyveen-I just want to say to Marshall and his team, great job on planning for the future, and coming up with events, I commend all the planning. I would also like to encourage residents to get out to the downtown Chaska stores. Right now, there is a fun program going on, 5 for $25, there are lots of fun things to see and great gift ideas, as well as a Santa and Frosty picture opportunity at the Gazebo.

Downs-I want to thank Dave Roan for his service as board chair, I appreciate all you have done. I look forward to doing this job, glad you have the confidence in me. I am looking forward to the Arts Consortium partnership and helping to make it successful.

Branch-Dave, thank you for everything. Your service is admirable and inspiring, thanks to Marshall and Mary and staff for everything you continue to do. I have no doubt Chaska Parks and the Community Center are going to come out of this like a fireball.

Keyport-I also would like to encourage people to go downtown to see all the beautiful lights, we recently walked around Firemen's Park, where we saw the big tree, there also are several trees decorated, a great opportunity to get out and enjoy the beautiful downtown that we have. I am volunteering Thursday at the food drive; I am looking forward to that, as have not done before. Thank you, Dave, for your remarkable service to our community. We really do appreciate it.

Udermann-I frequently ask, who does it well? Chaska gets it right a lot. He mentioned the many things Parks and Recreation have accomplished the past couple years. These are the many reasons to get involved. This is one of the most diverse boards I have served on. The benefits of Parks and Recreation are more than just a place to go work out, but they are also about the mental health and community connections. It is the people, a lot of the types of things Dave and Marshall have been a part of, even some of the things when Tom was here. Thanks for believing in me as I move on.

Saueressig-I am impressed with Dave's leadership and ability to run well conducted meetings. I am bummed to not be able to work with you anymore. To Marshall, great job getting through this year, being inventive and creative. A crazy year, I am really excited about what next year brings.

Roan-Start with my final sendoff, an advertisement, I encourage all you out there to apply for this commission or any of the other commissions out there. It is a very rewarding experience. Just do it! Thanks to everybody I have worked with, that is current and former leadership of the Parks department, with their can-do attitude and capabilities, it made things easy. We would dream, they made it happen, including the park staff. This has been a pleasure for me, the friendships I have formed. I will miss the monthly planning meetings with Marshall and Mary. I also will be staying on the bike friendly community commission. Lastly, one of the greatest pleasures when serving on this commission, is that we get to dream, we have our conversation by starting out with, "wouldn't it be nice if Chaska had this". I am comforted by the fact that I can hand the gravel over to Dave Downs and Jason Branch, they know with which the spirit in which this commission needs to operate. Continue to dream and never forget, dreams area free.

Grange-In light of all we have gone through this year, and it is the holiday season, I thew out to staff the challenge of coming up with a holiday song parody. Erin Link took the challenge on with her family. We had a full-on rally of the entire department. With the help of Mike Tudor, from communications, we were able to put this together. Here is a sneak peek of our song.

10. Adjourn Meeting

Motion to adjourn the December meeting by Udermann, Second by Saueressig.

Roll Call by Roan-Motion Carried

- MINUTES -
CHASKA CITY COUNCIL
November 30, 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; 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 Hubbard to adopt the agenda as presented. Motion carried.

5. Visitor Presentation
5.A. COVID Pandemic Update
Dr. Richard Scott with Carver County Public Health provided an update on COVID-19 in the State and County.

Mayor Windschitl inquired if there is any insight into how some members of a household can test positive for COVID and be sick and others in the household can be negative and not get sick.

Dr. Scott explained the reason for that is still not known and continued his update.

Councilmember Huang asked where Carver County is with ICU bed capacity and available, qualified medical staff.

Dr. Scott explained Carver is currently within its surge capacity, but the larger concern is the availability of qualified medical staff.

Councilmember Huang also inquired if Carver County is experiencing retention challenges with medical staff.

Dr. Scott provided insight into that and how hospitals have benefited from traveler care.

Councilmember Huang referred to questions of hospitals benefiting economically by increase in case diagnosis and asked if that is true.
Dr. Scott noted that many CEOs of many major hospitals shared at the governor's conference how much money they are losing.

Councilmember Grau asked if there is any information regarding immunity.

Dr. Scott explained there is no definitive answer yet, but generally speaking the immunity at minimum would be 90 days.

Councilmember Hubbard asked if persons who have recovered from COVID will still be encouraged to receive a vaccination when they are available.

Dr. Scott stated he does not have an answer for that at this time.

Councilmember Hubbard inquired what the typical turnaround time for test results and if there is a testing method that is better than others.

Dr. Scott explained that nasal swab and saliva testing methods are used for diagnostics, but that both have false negatives and false positives. He explained the estimated result timeframes for different testing methods and sites.

Councilmember Grau noted the difficulty some residents experience with obtaining tests when they are asymptomatic but yet required to test.

Dr. Scott provided further clarity regarding the testing sites that do not prohibit testing for asymptomatic persons.

Mayor Windschitl inquired about the new quarantine period of 10 days.

Dr. Scott noted that he would have to check for certain but spoke to the 10 quarantine from onset of symptoms versus exposure quarantine.

6. Minutes
Motion by Councilmember Hatfield, second by Councilmember Grau to approve the minutes of the November 16, 2020 City Council meeting. Motion carried.

7. Consent Agenda
Councilmember Hatfield inquired if this would change the look of 5th Street and if there is any reason work around 6th Street bridge is limited to the bridge.

City Engineer Clark stated that as far as look, 5th Street will look much like it does across from City Hall. He also provided further clarity into the funding and logistics that allow for 6th Street bridge to be done.

Mayor Windschitl inquired of timeline for Maple Street and if there is a need for correspondence.

City Engineer Clark and City Administrator Podhradsky gave further detail regarding this.
Motion by Councilmember Hubbard, second by Mayor Windschitl to approve the Consent Agenda Item A:

A. Adopt Resolution 2020-92 2021 Downtown Reconstruction Project Feasibility Study
   Motion to approve Resolution 2020-92 ordering preparation of the feasibility study for the 2021 Downtown Street/Utility Reconstruction Project.

Motion carried.

8. Action Items

8.A. City Square West Preferred Developer Process
Assistant Administrator Kabat presented the item to the Council.

The Council discussed which councilmembers would sit on this interview and the logistics of the interview.

Motion by Councilmember Huang, second by Councilmember Hubbard to appoint Councilmember Hatfield and Councilmember Grau to participate in the developer interviews to be held on December 9th, with the intent to identify a consensus recommendation to Council on December 21st. Motion carried.

City Podhradsky noted that there will be opportunity for involvement and that they are hopeful the proposed developer will attend the December 21, 2020 meeting.

9. Bills
9.A. Accounts Payable Council Roster 11-30-2020

The Council requested further information about bills on pages 1, 5, 6, 17, 18, and 20.

City Administrator Podhradsky provided further information regarding those bills.

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. Met Council Blue Ribbon Recommendations
10.B. City Administrator's Report
   10.B.i. Biweekly 11-30-20
10.C. Other Meeting Minutes
   10.C.i. Receive the Oct 14, 2020 Planning Commission Meeting Minutes.

Councilmember Huang:

- Noted there is a food distribution event on December 17 at the Gedney location and volunteers are needed.

- Updated the Council on the Met Council Blue Ribbon Recommendations Draft and noted it is a working document of what the Blue Ribbon Commission is thinking.
- Updated the Council on the potential merger of MBTA and SouthWest Transit. Councilmember Hatfield noted it would be important for the unique needs of the current SouthWest Transit service area are not lost to the larger MBTA. Mayor Windschitl agreed it is important that the identity factor remains.

Councilmember Hubbard:
- Encouraged residents to shop small this holiday season.

Councilmember Hatfield:
- Also encouraged residents to shop small and noted several specials local businesses are running.

Councilmember Grau:
- Inquired if there were any updates on the proposed development near his neighborhood. Community Development Director Ringwald gave a brief update on that timeline.
- Noted he spoke at the SouthWest Chamber Mayors Meeting and that it went well and encouraged residents to watch it and stay informed of what is going on in the area.
- Thanked the teachers and administration for their work and for how well distance learning is going.
- Thanked all the frontline healthcare and essential workers for what they are doing with the COVID pandemic and encouraged residents to continue to wear masks and social distance.

City Administrator Podhradsky:
- Noted the 100 Club virtual event is on Sunday.

Mayor Windschitl:
- Asked about a speed limit sign issue on Stoughton Avenue. City Engineer Clark stated they will look into it and agreed it needs changing.
- Encouraged residents to shop at local businesses and noted there will be outdoor events coming up.
- Noted the next Council meetings are December 7 and 21.

<u>11. Adjourn</u>
Motion by Councilmember Huang, second by Councilmember Hatfield to adjourn the meeting at 9:05 pm.
Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
December 7, 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, Grau, and Mayor Windschitl. Absent: Councilmember Huang.

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

5. Visitor Presentation
5.A. Beyond New Beginnings Update

Russell St. John and Jill Engeswick with Beyond New Beginnings provided a business and program update to the Council.

Councilmember Hubbard inquired if the furniture provided by Beyond New Beginnings stays with the apartment or goes with the mother.

Ms. Engeswick replied that the furniture stays with the apartment.

Mayor Windschitl inquired if the goal is for the mothers to move out after two years.

Ms. Engeswick provided further detail regarding this and how the goals for each family may play into this.

Mayor Windschitl referred to the donates received from other states and inquired if this program is that unique and not being done anywhere else.

Mr. St. John stated there are some inner-city models but nothing else like this that he is aware of and detailed some requests they have received.

The Council expressed their excitement and support for this program.

6. Consent Agenda
Mayor Windschitl requested further detail regarding item 6.C.

City Administrator Podhradsky provided clarification of the item content.

Motion by Councilmember Grau, second by Councilmember Hubbard to approve the Consent Agenda Items A through C:

A. Adopt Resolution 2020-93, Designate Polling Locations
   Motion to approve Resolution No. 2020-93 Designating Polling Place Locations for 2021 Elections.
B. 2021 Business License Renewals
   Motion to approve the 2021 Business Licenses to include games of skill, refuse haulers, massage therapists, and tobacco sales along with our other permits for solicitors/peddlers/transients and golf carts effective January 1, 2021 through December 31, 2021.
C. Approve Second Amendment to Site Agreement with T-Mobile at 123 Jonathan Blvd
   Motion to approve second amendment to site agreement with T-Mobile at 123 Jonathan Boulevard.

Motion carried.

7. Action Items

7.A. Truth in Taxation Public Hearing
City Administrator Podhradsky introduced the item to the Council.

Mayor Windschitl opened the public hearing at 7:36 pm.

City Administrator Podhradsky presented the item to the Council.

Mayor Windschitl inquired if there is a projection for how many homes were built in 2020.

City Administrator Podhradsky explained it will be close to 100 and continued his presentation of the item.

Councilmember Hubbard asked for further information regarding LGA.

City Administrator Podhradsky clarified the graph layout for LGA.

The Council noted that they have been looking at this information for some time.

Motion by Councilmember Hatfield, second by Councilmember Hubbard to close the Truth in Taxation Public Hearing, and to establish December 21, 2020 as the date to consider the adoption of the 2021 budget and final tax levy. Motion carried.

7.B. Adopt Resolutions 2020-94 and 2020-95 Issuance and Sale of Bonds: Series 2020F and Series 2021A

City Administrator Podhradsky introduced the item to the Council.

Administrative Services Director Graczyk presented the item to the Council.

Mayor Windschitl requested more information about the parameters for the bonds.

Administrative Services Director Graczyk provided further detail regarding how the parameters work in respect to issuance.

Mayor Windschitl asked if there is a chance there will be a better market in February 2021.

Administrative Services Director Graczyk stated the interest rates are great right now, and there is a likelihood of increased competition at the start of the year and thus higher rates.

Per request of Councilmember Hubbard, Administrative Services Director Graczyk gave further explanation regarding the rating of the electrical utility.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt Resolution No. 2020-94 authorizing issuance and establishing pricing committee to award sale for Electric Utility Revenue Refunding Bonds, Series 2020F. Motion carried.

Motion by Councilmember Grau, second by Councilmember Hatfield to adopt Resolution No. 2020-95 authorizing issuance and establishing pricing committee to award sale for General Obligation Sate Aid Street Bonds, Series 2021A. Motion carried.

7.C. Adopt Resolution 2020-96 Approving Professional Engineering Services Agreement for the TH 41/CSAH 44 Improvements

City Administrator Podhradsky presented the item to the Council.

Mayor Windschitl inquired if there were other bids.

City Administrator Podhradsky stated there were not.

Councilmember Grau looked to confirm that despite no other bids, Staff are confident this is a fair bid from Bolton & Menk.

City Administrator Podhradsky and City Engineer Clark stated it is consistent with what they would expect.

Mayor Windschitl asked for clarification on the preliminary layout for the interior alleyway alongside Chasers and the bank.

City Engineer Clark spoke further regarding that plan.

Councilmember Hubbard asked what the timeline is for the project.

City Administrator Podhradsky clarified that timeline.

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt Resolution No. 2020-96, approving the professional engineering services agreement for the TH 41/CSAH 61 Improvements in Historic Downtown Chaska. Motion carried.

8. Bills
8.A. Accounts Payable Council Roster 12-7-2020

The Council requested further information about bills on pages 6, 15, and 17.

City Administrator Podhradsky provided further information regarding those bills.

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

9. Other Business
9.A. City Administrator's Report
9.B. Biweekly 12-7-2020

Councilmember Grau:
- Thanked the City for the Truth in Taxation meetings.

Councilmember Hubbard:
- Noted there is some great programming through the Parks Department and Community Center including the Trim the Tree and Stroll Around the Park events.
- Noted the Hero and Helpers event is coming up this weekend.

Councilmember Hatfield:
- Noted there is a food shelf donation in relation to the Tree Stroll event.
- Noted the Governor released new CDC recommendations for quarantine protocol.
- Encouraged residents to check out her public Facebook page where she recaps City Council Meetings.
- Asked where things are with Commission applications. Assistant Administrator Kabat provided an update regarding that timeline. Councilmember Grau encouraged Staff to ensure no technical barriers prevent residents from applying. Mayor Windschitl inquired if it is known how many people are leaving the commissions due to timing out. Assistant Administrator Kabat noted he would get this information to the Council.
- Noted the Human Rights Award nominations are due December 11, 2020.
- Asked if there is any feedback regarding the chickens. City Administrator Podhradsky state that there is a lot of feedback and a work session will follow.

City Administrator Podhradsky:

- Noted the Santa Clause parade will be held December 23, 2020 at 4:30-7pm and that a map of the parade will be posted.

Mayor Windschitl:

- Inquired how remodel projects were coming. Assistant Administrator Kabat gave a brief update on where things are with those. Councilmember Hubbard asked where the automatic doors are located at the Community Center. Assistant Administrator Kabat stated they are at the main entrance and ice rink and getting finished up.
- Noted the Tree Stroll is December 1st through 31st and gave further details regarding other events occurring.
- Noted that Chaska Santa is collecting for Toys for Tots and looking for volunteers.
- Noted there has been a good feedback regarding the Blue Ribbon Commission's report.
- Stated he is excited to see signs for future road expansion on the dead-end cul-de-sacs.

<u>10. Adjourn</u>

Motion by Councilmember Hatfield, second by Councilmember Hubbard to adjourn the meeting at 10:01 pm. Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
December 21, 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, Grau, and Mayor Windschitl. Absent: Councilmember Huang.

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

5. Visitor Presentation
5.A. Bond Sale Results by Baker Tilley
Anton Voinov with Baker Tilley presented the bond sale results.

5.B. Pioneer Trail/Twin Cities Western Train Noise Concerns
Chris Ilangaratne, resident, presented concerns regarding train noise and requested the City designate the crossing 393293P as a quiet zone.

Scott Morse, resident, also detailed the concern regarding train noise in the neighborhood and the need to make this crossing a quiet zone. He also noted concerns with what materials are being carried in these trains.

Denise Ayen, resident, noted that although they were aware they were moving next to a train track but that the number of trains has increased. She also requested something be done to make this a quiet zone.

Terry Vanorden, resident, explained he is in favor of this crossing becoming a quiet zone.

JoAnne Gill, 546 Sweetwater Path, agreed that the noise is concerning and requested the City look at designating this crossing a quiet zone.

Mike Gearman, resident, detailed the increase in train traffic and noise associated with the side tracks and also requested this crossing become a quiet zone.

Sue Massahos, resident, agreed with the statements and requests above and pointed out idling trains sitting on the side tracks. She also detailed concerns with safety as some of the trains stored on the side tracks have been oil tankers.

Vaughn Kardashian, resident, stated that the expectation when they moved in was one train per day and that the addition of the side tracks has made the area a train yard. He explained that traffic gets incredibly backed up due to the tracks and stated anything done to decrease noise and some of these other issues would be appreciated.

Eric and Jeni Benson, residents, reiterated the points shared by the residents above especially issues with noise and backed up traffic. They also noted that before they purchased their townhome, Pulte Homes had shared that the track sees 1 train per day, but that now it is 6 per day.

Cathy Shaw, resident, noted she is a daycare provider and that her licenser has stated that when the children are playing outside and a train comes by, they need to go inside and that this provides a hardship for her.

Nimmy and Raneesh Ravi, residents, explained the noise is very concerning and asked that something be done.

Mayor Windschitl stated that the City did not approve the addition of the side tracks but that the railroad is interstate commerce and has the say in that. He briefly detailed conversations the City has had with the railroad.

City Administrator Podhradsky requested 2-3 representatives from the neighborhood meet with him along with the president of Twin Cities Western to detail concerns and noted that the president also requested a survey be completed to log the issues. He further explained TCW can take action with their shippers for how they return trains. City Administrator Podhradsky then explained the City does have experience with quiet zones and silent crossings and noted the Staff could look at putting together an estimate regarding this.

Mr. Morse inquired about the possibility of privacy fencing.

City Administrator Podhradsky noted he is uncertain but that it is unlikely the railroad would cover that. He explained he would contact Chris Ilangaratne to get a list of representatives together to meet with the president of Twin Cities Western.

<u>6. Minutes</u>
Motion by Councilmember Grau, second by Councilmember Hatfield to approve the minutes of the November 30, 2020 and December 7, 2020 City Council meetings. Motion carried.

<u>7. Consent Agenda</u>
Councilmember Hubbard looked to confirm the lease in item 7A is for 60 months.

City Administrator Podhradsky confirmed the length of lease for that item.

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

A. Approve Lease Agreement with Red Beard LLC dba Oak 19
   Motion to approve the renewal of the lease agreement of the Town Course Grille space to Red Beard, LLC dba Oak 19.
B. 2021 Rental Fee Increase
   Motion to approve a fee increase and the 2021 Rental Dwelling License Fee Schedule.
C. Municipal Tort Liability Limits
   Motion to direct the City Administrator to inform the League of Minnesota Cities Insurance Trust that the City of Chaska elects not to waive the monetary limits on municipal tort liability established by Minnesota Statute.
D. Adopt Resolution 2020-97, 2021 Development, Planning & Inspection Fees
   Motion to adopt Resolution #2020-97, establishing the 2021 Development, Planning Application and Building Inspection Fees.
E. Appoint the Law Firm of Melchert, Hubert, Sjodin to Represent the City of Chaska in 2021
   Motion to appoint the law firm Melchert, Hubert, Sjodin, as the Chaska City Attorney for 2021.
F. Adopt Resolution 2020-103, Approve the Lot Split Consolidation for 3919 Bavaria Road and 1051 82nd St W/Tim George/PC #2020-23
   Motion to adopt Resolution #2020-103, approving the Lot Split and Lot Consolidation between 3919 Bavaria Road and PID 300180100 (1051 82nd Street West), subject to the stipulations included in said resolution and the following conditions:
   1. Approvals shall be based on the following graphic exhibits: a. Certificate of Survey, prepared by Wenck Associates, dated September 4, 2020, and revised December 15, 2020
   2. Tract A is consolidated into PID 300180100 (1051 82nd Street West)
   3. Lot Consolidation is obtained through Carver County
   4. If the property owner wishes to pursue the third venue for Bavaria Downs at 3919 Bavaria Road it will require three-step planning process with the City (Concept Plan, Preliminary/CUP, and Final Plan).
G. Adopt Resolution 2020-101, Establish 2020 Interfund Tax Increment Financing
   Motion to approve Resolution No. 2020- 101 providing for interfund loans for tax increment project financing.
H. Adopt Resolution 2020-102, Fund Balance Commitments
   Motion to approve Resolution No. 2020-102 amending General Fund Balance commitments.
I. Chaska Park Board 2021 Chair and Vice Chair
   Motion to appoint David Downs as Park Board Chairperson and to appoint Jason Branch as Park Board Vice-Chairperson contingent upon reappointments.
J. Authorization to Approve Execution of the Memorandum of Understanding for the Arts Program Partnership and Lease Agreement
   Motion to approve execution of the Memorandum of Understanding for the Arts Program Partnership, as well as the Lease Agreement between the City of Chaska

and the Arts Consortium of Carver County

K. Adopt Resolution 2020-104, Award Bid for the Lake Grace Pedestrian Trail Bridge
Motion to adopt Resolution 2020-104, awarding the bid for the Lake Grace Pedestrian Bridge to Pember Companies, Inc., in the amended low bid total amount of $305,108.45. Motion carried.

8. Action Items

8.A. City Square West Preferred Developer
Assistant Administrator Kabat presented the item to the Council.

Councilmember Hatfield expressed her gratitude that the City was able to attract such amazing developers and that she is excited about working with Inland.

Councilmember Grau stated he was impressed with Inland's interview and that they really listened to what the City wanted.

City Administrator Podhradsky reiterated the experience and knowledge Inland will be bringing.

Tom Shaver with Inland Development Partners stated they are excited about this project and they are looking forward to bringing the project to life.

Motion by Councilmember Hatfield, second by Councilmember Grau to authorize staff to work with Inland Development Partners to begin feasibility analysis of the City Square West redevelopment concept leading towards a preliminary development agreement. Motion carried.

8.B. Adopt Resolution 2020-98, 2121 Budget and Tax Levy Adoption
City Administrator Podhradsky introduced the item to the Council.

Mayor Windschitl asked if the 3.19% utility rate increase would continue into the next year.

City Administrator Podhradsky provided further detail regarding the purpose of spreading the increase over the 5-year period and continued his presentation of the item.

Mayor Windschitl noted that the Council has really looked at this in detail and had lots of conversation regarding the item. He also noted that Staff has put a lot of time in getting the budget information out to the public.

Motion by Councilmember Hatfield, second by Councilmember Hubbard to approve Resolution No. 2020-98 setting the 2021 property tax levy and establishing the 2021 budget for the General and Enterprise Fund Budgets. Motion carried.

8.C. Adopt Resolutions 2020-99 and 2020-100 and Ordinances 983 and 984, Establishing 2021 Utility Rates
Administrative Services Director Graczyk introduced the order for adoption of the ordinances and resolutions.

Motion by Councilmember Grau, second by Councilmember Hatfield to adopt Ordinance No. 2020-983 establishing 2021 Electric Utility Rates. Motion carried.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt Ordinance No. 2020-984 establishing 2021 Water and Sewer Utility Rates. Motion carried.

Motion by Councilmember Hubbard, second by Councilmember Grau to adopt Resolution No. 2020-99 establishing 2021 Storm Water Utility Rates. Motion carried.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt Resolution No. 2020-100 establishing 2021 Electric Franchise Fee Rate. Motion carried.

City Administrator Podhradsky noted that statistics for residential impact and tax levy per capita includes the Economic Development Authority levy. He also noted the Federal stimulus to include local government aid will not get addressed before January 21, 2021.

9. Bills
9.A. Accounts Payable Council Roster 12-21-2020

The Council requested further information about bills on pages 5, 25, 44, and regarding flooring for the Police Department.

City Administrator Podhradsky provided further information regarding those bills.

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

10. Other Business
10.A. City Administrator's Report
10.B. Biweekly 12-21-2020
10.C. Financial Reports-October
10.D. Other Meeting Minutes
 10.D.i. Received the draft minutes of the 11-19-2020 Human Rights Commission Meeting.

Councilmember Hubbard:
- Noted the food drive at the old Gedney site was well attended and well run.
- Reported the Heroes and Helpers event also went well.
- Noted the donations for Toys for Tots were collected by the Chaska community and that many families were blessed by this event.
- Reported that she met with residents in the Chevalle neighborhood and listened to their concerns with speed in the neighborhood. Mayor Windschitl noted issues with changing speed signs and adding stop signs and stated the importance of communication within the neighborhood regarding the speed. City Administrator Podhradsky detailed some

challenges with the location and different neighbors using this as a cut-through. He noted speed trailers that record data are more effective.

Councilmember Hatfield:

- Noted the Santa parade is tomorrow. Noted there are issues with getting the link to load. City Administrator Podhradsky stated Kevin will be updating the link in the morning.
- Reported the Community Center is doing a walking challenge in January.
- Thanked the outgoing commissioners for their service to the City.

Councilmember Grau:

- Noted the Santa parade is tomorrow instead of Wednesday.
- Reported the tar accumulating at the bottom of Chaska Boulevard and Big Woods Boulevard is still there. City Administrator Podhradsky noted the snowplows will likely take care of it.
- Encouraged residents to watch the video put out by Eastern Carver County school.
- Wished residents Happy Holidays.
- Thanked the community for engaging in the Council meeting and for civic engagement by residents.

City Attorney Melchert:

- Noted his role as City Attorney in day-to-day operations is coming to a close and thanked the City for being a wonderful client and the Councils over the years that have made working for the City enjoyable. The Council and Staff noted all the accomplishments by City Attorney Melchert.

Assistant Administrator Kabat:

- Reported that the Human Rights Commission selected LeAnn Winters as the award winner for the Human Rights Award and that she will receive that at the MLK breakfast in January.

Mayor Windschitl:

- Noted there is an EDA meeting directly following the Council meeting.
- Thanked the Chaska Santa for all his efforts with the Toy Drive.
- Reported the Heroes and Helpers event was fun to be a part of.
- Thanked City Staff and employees for all their work to make the City and essential services run during the pandemic. Thanked Chaska businesses for their endurance during the pandemic and encouraged residents to continue supporting them.

11. Adjourn

Motion by Councilmember Grau, second by Councilmember Hatfield to adjourn the meeting at 9:26 pm.
Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
January 4, 2021

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

5. Swearing In of Elected Officials
City Attorney Melchert conducted the oath of office for Mayor Windschitl, Councilmember Hubbard, and Councilmember Huang.

6. Visitor Presentation
None.

7. Minutes
Motion by Councilmember Hatfield, second by Councilmember Hubbard to approve the minutes of the December 21, 2020 City Council meeting. Motion carried.

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

A. Approve the Chaska Herald as the Cities Official Newspaper

   Motion to appoint the "Chaska Herald" as the official newspaper of the City of Chaska for 2021.

B. Appointment of City Trustees to the Chaska Fire Department Relief Association (CFDRA)

   Motion to appoint Mark Windschitl as an Elected-Official Trustee and Noel Graczyk as a City Trustee to the 2021 Chaska Fire Relief Board.

C. Annual Designation of City Depositories, Investment Institutions, and Authorized Signatories

Motion to designate the following official depositories, financial institutions, and authorized account signatories:

Depositories

Bank Vista; Charter Bank; Old National Bank; Security Bank; USBank; Wells Fargo Bank; and Wings Financial Credit Union

Financial Institutions

League of Minnesota Cities and PMA Financial Network (4M Fund); Northland Securities, Inc.; RBC Capital Markets, Inc.; Oppenheimer & Co.; Inc.; Piper Sandler Companies; Public Financial Management (PFM); USBank Investment Services, Inc.; and Wells Fargo Investments

Authorized Account Signatories

Mayor..Mark Windschitl
City Administrator ....Matt Podhradsky
Treasurer ....Noel J. Graczyk

Motion carried.

9. Action Items

9.A. Appoint Acting Pro Tem Mayor for Calendar Year 2021
City Administrator Podhradsky presented the item to the Council.

The Council discussed when the shift occurred to cycle turns for Mayor Pro Tem.

Motion by Councilmember Huang, second by Councilmember Grau to appoint Council Member McKayla Hatfield as Acting Mayor for the City of Chaska for calendar year 2021. Motion carried.

10. Bills
9.A. Accounts Payable Council Roster 1-4-2021.

The Council requested further information about bills on pages 1 and 17.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Hubbard 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.

11. Other Business
11.A. City Administrator's Report
11.B. Bi-Weekly 1-4-2021
11.C. Blue Ribbon Commission's Final Report on Met Council
https://mcamm.memberclicks.net/assets/docs/NewsletterDocuments/2020/BlueRibbonPanelReport.pdf

Councilmember Grau:

- Wished everyone a Happy New Year.

Councilmember Huang:

- Wished everyone a Happy New Year.
- Noted there is another food distribution event at the old Gedney factory on Thursday, January 14 mid-day and volunteers are needed.
- Provided a summary on the result of the Blue Ribbon Commission's report regarding regional transit and an update on recent meetings with representatives regarding SouthWest Transit.
- Inquired if Attorney Melchert's role has changed. Mayor Windschitl clarified that Attorney Melchert will be representing the Council at Council meetings but is no longer the City Attorney.
- Mayor Windschitl offered him condolences on the passing of his father.

Councilmember Hubbard:

- Noted the Emergency Support Business Support Program through Carver County CDA has reopened and application information is on their website.

Councilmember Hatfield:

- Inquired if there is still a virtual event happening for Martin Luther King Jr. Day and if that information will be posted soon. Assistant Administrator Kabat provided details on the event and stated advertisement for it will be out soon.
- Congratulated the Councilmember who were sworn in tonight.
- Reminded residents information regarding snow removal is on the City website and encouraged folks to seek out that information. City Administrator Podhradsky spoke further about conversations the City has with residents who are not moving their cars per the City schedule. Mayor Windschitl also weighed in on difficulties with snow removal and parking schedules. Councilmember Huang inquired what the protocol is for homes that are on the same side of the street with sequential address numbers. City Administrator Podhradsky stated he believed that this issue has been clarified for those residents.

City Administrator Podhradsky:

- Wished everyone a Happy New Year.
- Stated the vaccination program began for City employees last week and updated the Council on the plan for the next group that will be eligible.

Mayor Windschitl:

- Noted he is grateful for the first shipment of vaccines for public staff and is looking forward to the next shipment coming in.
- Thanked outgoing elected official Senator Jensen and suggested Staff reach out to incoming Senator Coleman to invite her to come to a future Council meeting. He also noted that the local area did well with Met Council funding this year.
- Noted he had a few messages indicating the Governor will may an announcement on Wednesday about loosening restrictions. He noted there will be a phase-in for bringing public school children back into in-person learning. City Administrator Podhradsky detailed that phasing schedule.
- Reported that the Santa parade was a fantastic event and that it was a great idea to move it to miss the storm. City Administrator Podhradsky recognized GIS Technician Allison Campbell who developed the parade tracker.
- Wished everyone a Happy New Year.
- Noted there is still time for folks to sign up for Commissions and to contact Assistant Administrator Kabat if interested. Councilmember Huang inquired if they could submit applications thought the website. City Administrator Podhradsky stated they could but to also follow up with Assistant Administrator Kabat. The Council talked about how beneficial it has been having someone in the student commission position and that they hope it will be filled again.
- Noted the next Council meeting is January 25, 2021.

12. Adjourn:
Motion by Councilmember Hatfield, second by Councilmember Grau to adjourn the meeting at 8:13 pm.
Motion carried.

CHASKA PLANNING COMMISSION
MINUTES
Oct 14, 2020

1. Call to Order
Chairperson Dahlke called the meeting to order at 7:00 pm.

Chairperson Dahlke read aloud a statement explaining that due to the COVID-19 pandemic the Chaska Planning Commission met via electronic means. He explained how the public can still be involved in the meeting and discussions.

2. Roll Call
Roll call was taken. Members present: Commissioners Brass, Cross, Lacey, Olson, Rylee, Sailer, Bowe, and Urbanski and Chairperson Dahlke

Members absent: None.

Also present: Luke Melchert, City Attorney; Kevin Ringwald, Community Development Director; and, Liz Hanson, City Planner.

3. Adopt the Agenda
Motion by Commissioner Sailer, second by Commissioner Cross to adopt the agenda as presented. Roll Call Vote: Ayes - all. Motion carried.

4. Visitor Presentation
None.

5. Minutes
Motion by Commissioner Olson, second by Commissioner Brass to approve the Minutes of the Sept 9, 2020, Planning Commission meeting Minutes as presented.
Roll Call Vote: Ayes – all. Motion carried.

6. Consent Items
Motion by Commissioner Brass, second by Commissioner Urbanski to approve the Consent Agenda as follows:

6.A. Motion to recommend to City Council approval of a Final Plat for Club West 10th Addition/Tradition Development (PC #2020-19), subject to the following conditions:

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

1. Approvals shall be based on the following graphic exhibits:
    a. Club West 10th Addition Final Plat (pgs 1-2), submitted by Alliant Engineering
    b. Club West 10th Addition Area Exhibit, submitted by Alliant Engineering
2. Payment of all applicable development fees prior to recording the Final Plat.

3. Compliance with applicable zoning requirements, in particular Chapter 9 (General Requirements).
4. Compliance with Section 9.27 Anti Monotony and Design Requirements in Detached Single-Family Residential Developments.
5. Provision of a stormwater management plan meeting City and Carver County WMO standards.
6. Provision of an executed development agreement prior to recording Final Plat.
7. Provision of sidewalks on both side of all local streets.
8. Adherence to the City's Boulevard Tree Policy and local street section design.
9. Provision of a 60 feet Right of Way width for all local streets.
10. Adherence to the following building setbacks:

    a. Front (house): 23 feet
    b. Front (porch): 15 feet
    c. Rear: 30 feet
    d. Side (house/garage): 10 feet/5 feet
    e. Side (corner): 23 feet

Roll Call Vote: Ayes – all. Motion carried.

<u>7. Action Items</u>:
<u>7. A.</u> CONTINUE TO NOVEMBER 18, 2020 PLANNING COMMISSION:
Recommendation of Preliminary Site & Building Plan, Preliminary Plat & Rezoning for Oak Ridges/RCS-RCA Oak Ridge LLC/PC #2020-17

Chair Dahlke opened the public hearing at 7:06 p.m. He explained that the Planning Commission would be continuing this public hearing to the November 18, 2020 Planning Commission meeting at 7:00 p.m.

7.B. PUBLIC HEARING: Recommended Denial of the Variance at 220 Elm Street north to Expand a Non-Conforming Accessory Structure Exceeding Height Requirements/Blake & Amie Krone/PC#2020-21

City Planner Liz Hanson presented item to the Commission and explained that staff is recommending denial of the variance request.

Commissioner Rylee asked whether Medium Density R-2 encapsulated all of downtown Chaska.

City Planner Hanson stated that it does pretty much encapsulate all of downtown Chaska.

Commissioner Rylee asked if there were other areas within Chaska that were R-2.

City Planner Hanson stated that downtown Chaska is the predominant area of the R-2 zoning district.

Commissioner Rylee asked if there were unique zoning ordinances within downtown Chaska beyond the R-2.

City Planner Hanson stated that it is strictly under R-2 so there is nothing specific within downtown that would be different.

Commissioner Rylee asked what makes a structure historical and asked for examples of criteria used in the determination.

City Planner Hanson stated that structures that are on the local or the national historical register have to be reviewed and added by our HPC as historic. She explained that if it is on the national register then it has to be reviewed by both the local HPC as well as the national historical preservation office. She stated that in order to be classified as a structure in a historic nature, the home has to be a certain age and the structure needs to have historical elements that are reminiscent of old downtown Chaska, for example, any structures that have original Chaska brick are usually deemed historic. She gave other examples for consideration as a historical structure being a family of long standing from the beginning of the City that have lived in a certain structure for several years or generations. She stated that another example would be operations of certain sites, for example, something like the firemen's clay hole area where the brick yards were located. She stated that there has to be a specific historic history, architecture, or family to be considered historic.

Commissioner Rylee asked if this property had any of those elements.

City Planner Hanson stated that it is not locally or nationally historic.

Commissioner Rylee asked about the vintage of this property relative to the other properties that are deem historic in the downtown.

City Planner Hanson stated that the ones that are historic usually range from the late 1800s to early 1900s for construction and have retained their original architecture or history. She stated that she believes this structure was built in either the 1940s or 1950s.

Commissioner Urbanski asked if the alley was owned and maintained by the City.

City Planner Hanson stated that was correct.

Commissioner Urbanski stated that it appears as though there is about a half a foot for snow storage in the winter.

City Planner Hanson confirmed that it gets very tight during the winter months.

Commissioner Brass asked if the applicant could rebuild the existing structure with updates on its original foundation.

City Planner Hanson stated that if they meet the setbacks they could rebuild on the same footprint.

Commissioner Brass gave the hypothetical situation of a tornado coming and knocking down the building. He asked if they could just rebuild the garage without making it larger or whether they would just be out of a garage.

City Planner Hanson stated that if the damage done to the structure is 50% or more, then it has to be brought into conformity, so it would need to meet the setback requirement.

Commissioner Urbanski stated that if the applicant decided to tear the whole roof off, including trusses, they could still put new trusses and a new roof on the existing structure as long as the original walls are still standing.

City Planner Hanson stated that as long as the height of the structure is not being enlarged past what it currently is, then they could do that.

Commissioner Olson stated that the current structure is 986 sq. ft. and asked if that is in conformance with the accessory building for the size of lot that they are in right now.

City Planner Hanson stated that it is in conformity.

Commissioner Brass stated that according to the tax records, their property was originally built in 1928. He stated that he went by the property this weekend, but it looks like everything is under construction and noted that there was currently no siding on the property. He asked if the entire house was torn down and rebuilt or completely gutted. He stated that he feels this is an important piece of information to when considering the potential for the historical nature of the property. He stated that although the Commission does not determine the historical properties, at this point, it looks like a new structure.

City Planner Hanson stated that she does not know the full history of the home but the applicant should be able to answer that question.

Chair Dahlke opened the public hearing at 7:46 p.m.

Chair Dahlke announced that the City had received three messages from people that were not able to attend tonight's public hearing. He read aloud statements from: Shirley Brozee, 217 Cedar Street N who is in favor of the variance; Kara Bristol, 316 Third Street W who is in favor of the variance; Theresa Fahey, 223 Elm Street N who is in favor of the variance.

Blake Krone, 220 N Elm Street, stated that he is the current owner of the property in question and noted that he had started this process in June. He stated that his feedback to the City is that the process leaves a lot to be desired and has been challenging as a home owner who is just trying to improve the property. He stated that it has been difficult to get straight answers from staff as to what the process actually entails and whether they could do this or not. He stated that it has been presented to them from the get go as "no, you absolutely cannot do this". He stated that he had to specially ask about the possibility of a variance and also had to ask for the variance application form. He stated that they understand where everyone is coming from in terms of the concern about the size but wishes that the he would have been allowed to deliver the narrative first as there were a few inaccuracies that were presented in terms of the interpretation. He explained that he used to be a traveling employee before COVID-19 hit last spring. He stated that he conducts training and needs space to have a fully digital white board for his work classroom in order for him to deliver the training remotely to people all over the world. He showed the Commission the current room in his home that he is using as a work space and explained the challenges when he, his wife, and child are all trying to be on calls at the same time. He stated that he understands that everyone is presented with this challenge these days because of COVID-19, but explained that he feels this will be the new "normal". He stated that he feels there are many people that will never be going to an office again. He stated that currently City Hall is under construction to make it a more friendly environment due to COVID-19 and safer for employees. He explained that he does not have that luxury and his work space is what he has currently in the home. He stated that his wife isn't sure if or when she will be going back to her office. He stated that they purchased this home in 2007 and their information says it was built in 1926 although the tax records say 1928. He stated that he believes there have been a few additions made to the property prior to their purchase. He stated that they did an addition in order to create a master bathroom but most of the other modifications have been things like paint and updated fixtures. He stated that one of the options outlined by City Planner Hanson was to add onto the house but stated that they had evaluated that option and it would cost upwards of $100,000 and would make the house look like a very large box. He stated that they are in the process of re-siding the house and noted that they have also redone all the windows on the house. He stated that because he is not traveling for work, he has taken on this work himself. He stated that as part of that process and in order to bring some of the charm back to the home, they are adding a front covered porch to try to match some of the neighboring homes. He reiterated that adding onto the house was not feasible for them for what they felt nor was it acceptable in terms of discussions they had with realtors as an investment. He noted that to address the question about clearing snow during the winter, the City does clear the snow, but they clear it onto his garage which means he has to then go clear the snow that is piled up on the garage. He stated that they took all of their neighbors input into consideration when they made their plans for the addition. He stated that he walked around and spoke with all the neighbors that are within visible site lines of the property and showed them a rendering of what he would like to do for the addition. He stated that the renderings showed that they wanted to add onto the shop portion only to retain the low height along the alleyway. He stated that they did choose to lower the height of the roof after getting some feedback from the neighbors and adapted their designs based on other feedback as well. He noted that the three neighbors that submitted letters to the City had expressed concern when they received the mailer from the City that there was no information about what was actually going on nor was there any information about how to contact and provide information other than to attend the Zoom meeting. He stated that two of the neighbors are older folks who have no clue what Zoom is or how to use it. He stated that he printed off the Zoom information on his own and provided it to his neighbors. He stated that there was a statement made during the staff presentation about the critical nature of this house being on a corner and noted that he had provided pictures that did not make it into the presentation. He stated that from all of their corners, including the one at Cedar and Third, the garage is only about 2/3 visible. He stated that from Elm Street you cannot see the garage and their proposal does not make the roofline any higher or impair any site, wind, or sun lines. He stated that he has spoken with a few people that were not able to be on the call today that have said there is a rising concern from the demographic that he is part of, that is looking to be able to upgrade these 100 year old homes to be able to provide Chaska with homes that will meet the needs of future residents going forward with our new normal life. He stated that many of them are trying to find ways to upgrade these homes that are confined by quite a few current restrictions to make it usable for the foreseeable future. He stated that they don't want to make

Chaska into another Edina where the standard answer seems to be "you have got space to add on to your house, so add on to your house" because then the City will end up with "McMansions" on the lots which won't do any favors for the real estate resale values for the neighboring homes. He stated that point about the property being next to him not meeting the setback requirements was actually not interpreted correctly by City Planner Hanson. He stated that portions of that home are actually on his property and not next to it. He stated that part of his solution was that he would look the other way that this home is on his property if they could be allowed to improve their garage and improve the home and be able to meet what is a hardship for them. He stated that his wife is a Director of Human Resources and needs to have a confidential meeting space and he needs to be able to deliver his training without having people walk behind him. He stated that they are at the point that if they cannot get the property to be where they need it to be, there is a good chance that they will be moving. He stated that they do not want to move and would like to remain a part of this community.

Commissioner Brass thanked him for clearing up the question regarding the construction that is taking place on the property. He asked if the neighboring house is sitting slightly on his lot.

Mr. Krone stated that the neighboring property is on their lot and is a County home which has been a challenging property to be next to. He stated that there have been problems with them not mowing the lawn, plowing or clearing snow from the front sidewalks. He explained that they recently had their garage sawed off without permits or inspections.

Commissioner Brass stated that he understands Mr. Krone's point, but when he bought this property it should have come up on survey or the title and should not have been a surprise. He stated that if it didn't come up, he may be able to pursue this with title insurance or with his bank.

Mr. Krone stated that there is a larger issue at hand and noted that he just had the survey done a few weeks ago.

Commissioner Brass clarified that he is talking about when Mr. Krone first purchased the house, his bank should have ordered title work and it should show up on his title that there is an encroachment on the property.

Mr. Krone stated that it did not because the title that was provided by Old Republic Title did not have that property recorded as an encroachment.

Commissioner Brass stated that would not be a City issue.

Mr. Krone stated that it is a City issue because it is a County home and it is owned by the County and the City of Chaska and when there are encroachments, the first action is with the Planning Commission and who set the plot lines. He stated that he received this information from his real estate attorney.

Commissioner Brass stated that he doesn't think there is a fair argument for Mr. Krone to say something like, I have this thing going on over here but I can overlook this other thing if you let me do the other thing. He stated that encroachment is fairly common and noted that he has a landscape wall and a pine tree that encroaches on his home.

Mr. Krone stated that he feels a landscape wall and a house are two different things. He reiterated that this is why he wishes that the homeowner was allowed to speak first. He stated that if the City is so focused on property lines, then why was there a house that was allowed to be built on his property when his proposal is fully retained within the property lines.

Commissioner Brass stated that he feels the encroachment issue is entirely separate from the variance request issue.

Mr. Krone stated that he did not bring it up as an argument but just a point of concern.

Commissioner Brass stated that he heard Mr. Krone say that he was willing to look the other way, which led him to interpret that he was signaling that he was willing to let the encroachment go if he was allowed to build my garage. He reiterated that he feels these are two different issues.

Laura McDermott, 303 North Cedar Street, stated that she heard the term "undue hardship" used quite a bit during tonight's conversation. She stated that, as a society, she feels everyone is currently experiencing hardship in many different ways. She stated that she thought Mr. Krone's point about his children and his wife having space to work were very valid points because everyone is finding themselves in a really unique situation right now. She stated that the problem is people don't know how long "right now" will last and many people have been permanently transitioned to work at home. Mr. Krone does not have a space to work within his home and the point was made several times that undue hardship does not exist. She stated that she disagrees with that statement. She stated that she also wanted to bring up the idea of essential character and has a problem with it being used as an argument against them being able to do what they want with the current existing structure. She stated that the thought is that the building height will change the essential character, yet if they were to tear the building down, they could rebuild it exactly the way they want just 5 feet over. She noted that, in her opinion, that does not show concern for essential character. She stated this property was built in 1926, so the thought of the structure being too close to the alley doesn't make sense because the property was built way before the codes even existed. She stated that her garage would also not fall into any sort of setback regulations and wonders if any property within downtown Chaska would fit that qualification. She stated that she feels this is an unfair finding based on a property that was built well before that statute existed. She stated that the recommendation to tear the building down is really wasteful and is bad for a number of reasons. She stated that she doesn't understand why you would tear down a perfectly good structure so it could be moved 5 feet over because of some code when it is already there. She stated that she has been disappointed with the arguments that she has heard from the City against the request. She stated that the lots in Chaska are small, so if residents want any type of outside space for gardening, flowers, or have a space to let the kids run around, adding onto the house would not make sense and would take away that outdoor space when there is another possible solution. She stated that what the Krone's have done with their house have been beneficial for the surrounding property valuations and supports their variance request.

Chelsey Olson, 212 Elm Street, stated that she is in favor of this variance request. She stated that she also works from home and has done it for about 4 years. She stated that she does not have children, but has animals and even with just them around, it has been chaotic. She stated that she cannot imagine having to work with a significant, children, and trying to separate the space and make it work. She stated that she didn't think Mr. Krone was asking the City to look the other way on the encroachment but was just trying to point out that the City was being nit-picky. She stated that their request is just to go 10 feet up. She stated that the Krones and the other people in the neighborhood care about their historic homes and want to take care of them. She stated that she thinks the Krones are trying to keep the integrity of their home but make it work for their family. She stated that she thinks, as a community, in these trying times people need to listen to that and not nit-pick. She stated that if the City really wanted to keep this neighborhood historic, none of them would have garages, because back then people didn't have cars and now they do. She stated that she is in favor of this variance request and thinks what they are planning will look very nice.

Zach Sternal, 307 North Cedar Street, stated that the Krones have absolutely been an asset to the neighborhood. He stated that Mr. Krone has helped with repairs on his home which was built in 1875, so he values the character of the neighborhood and is one of the reasons why he bought his home. He stated that everything Mr. Krone has done to his home has been beautiful. He stated that he has no concerns about the plans Mr. Krone has and noted that it is a structure that he will see outside of his kitchen window every time he washes dishes. He stated that he agrees that disallowing this bequest because of a small setback issue is a nit-picky. He stated that he would fully support any motion to approve this variance request because it will be great for the neighborhood. He explained that he has always worked from home but understands the hardship because his wife teaches at the University of Minnesota and all of her classes have been moved on-line so they too have been vying for internet bandwidth and quiet hours when they can work, which has been a challenge. He stated that he feels this request is reasonable and reiterated that he is in full support.

Wes Sebold, 311 W Third Street, stated that they also fully support what Mr. Krone would like to do. He stated that Mr. Krone has been an awesome neighbor and has been doing a wonderful job with his home. He stated that he would like to see the City approve this request.

Ashley Sebold, 311 W Third Street, stated that Mr. Krone's home is very close to theirs and these plans will not affect them negatively at all and thinks it will look great. She stated that she has seen the plans and spoken with Mr. Krone and they are awesome. She stated that Mr. Krone loves living in a historic home and a historic neighborhood. She stated that she feels he respects the history of these houses and just wants to make it better. She stated that if people are not allowed to make improvements on these houses, they will just rot away and noted that modern families, especially if they are working from home, have different needs than those of when these homes were built. She stated that these homes are not very big and she understands the needs for additional space. She stated that both she and her husband are fully in support of this request.

There being no additional public comment, Chair Dahlke closed the public hearing at 8:25 p.m.

Commissioner Sailer stated that with COVID-19 going on most people are experiencing impacts and sometimes it is more tough on the communication aspect in this situation. He stated that he believes this was brought up by the applicant and asked staff if this item was a more difficult one to go through and provide feedback because of the limitations due to COVID-19.

City Planner Hanson stated that the communications began in June and staff responded to Mr. Krone regarding the challenges of being able to add onto the garage because of the setbacks and its nonconformity. She explained that she feels the communication back to Mr. Krone was pretty straight forward and that staff tried to give all the information they knew at the time to the applicant.

Commissioner Brass stated that he is looking at an aerial photo of the area and one of the comments had said something like none of the garages in the area work and which is untrue because there are many garages that meet the setback requirement. He stated that he understands a few feet sounds trivial but the code is written so the City can clean up things that no longer work or are improper. He stated that obviously the neighbors like the applicant and are in favor of it, but his concern is the precedent. He stated that to use the situation as an undue hardship is a bit of a stretch because everyone is doing the same thing. He stated that the City could potentially have dozens of people coming in saying that they need to have a structure or want enlarge their garage. He reiterated his concern about this setting a precedent and potentially opening the door for other requests like this that do not conform.

Commissioner Lacey asked about the State statute mentioned by City Planner Hanson earlier in the meeting that supersedes the City variance. He asked if he heard it correctly or if she could clarify her statement.

City Planner Hanson stated that what State statute lays out for looking and reviewing variances is being able to meet the definition of undue hardship or approving a variance based on an undue hardship being present on the site. She read aloud the State statute and definition of undue hardship. She stated that undue hardship has to do with the physical characteristics of a property and is usually something that is natural or not created by the property owner.

Commissioner Rylee stated that he has taken a look at the property and feels that Mr. Krone is an asset to the community. He stated that what he is doing to the property and the improvements he has made over the last 13 years are evident, meaningful, and are a value to the community. He stated that it is fairly unprecedented to have neighbors come and speak as powerfully as they have on his behalf. He stated that he felt some good points were made by Ms. McDermott regarding downtown Chaska and its future because there are both 19th and 20th century structures that the City wants people like the Krones to step in and take care of them so the properties don't just rot away. He stated that the challenge is to take those 19th and 20th century structures and fit them into a 21st century lifestyle. He recognizes that we live very differently and expect our floor plans to be very different. He stated that to Commissioner Brass's point, as structures are updated the City has been bringing them into code and noted that the codes are there for a reason. He stated that the he feels the City has the responsibility, particularly with setbacks, to make sure that as the City rebuilds and goes through the next cycle to try to meet those in every situation they can. He stated that with all that said, he thinks there is a gap. He stated that if he sets the setback issue aside for a moment, there are limits to what you can go on a property with regard to building height and he thinks the historical preservation aspect has value. He stated that he is not sure that you can apply a 15-foot requirement as a blanket rule within the downtown areas when there are properties that were built in the 1850s, 1920s and 1950s with all very different architectural styles. He stated that it seems to him that in the downtown R-2 area that there needs to be an evaluation like compatibility with these accessory buildings and ask the question of whether the structure to be built is compatible with the architecture and history of the primary residence on the property. He stated that he is not sure this thought process helps the applicant in this situation, but to address this neighborhood and the greater downtown Chaska's needs, he thinks the City has some work to do because he thinks this type of question will continue to be raised.

Commissioner Brass thanked Commissioner Rylee for his comments and noted that he feels it was well said.

Chair Dahlke explained that the job of the Planning Commission is to make a recommendation to the Council and noted that they do not make the final decision. He stated that he agreed with Commissioner Rylee that the City may need to do some work on some of the issues discussed, but noted that he does feel the setbacks are important. He stated that he took a look at the property and the alley is very narrow. He stated that the City codes follow the State statute and the Planning Commission's job is to interpret the code and the statute and make a recommendation. He stated that in the area of undue hardship there are specific points that have to be met in order to meet that threshold and one of the commissioners make the comment that we are all facing hardship or at the very least a different lifestyle because of COVID-19 which will eventually go away. He stated that this neighborhood is very special and it certainly sounds that the Krone family is nothing but an asset to it. He encouraged him to get more involved in the City because he brings a lot of good to Chaska. He stated that the code and statute specifically say that you cannot increase the size of an out of compliance structure which this proposal would be doing.

Commissioner Cross stated that Chair Dahlke's comments were well said. She stated that they know Chaska is old and to try to work around old plans. She stated that she firmly believes the City should follow code because if not, there are so many trap doors to potentially fall through. She stated that even though it may look good, she feels strongly that the Commission should stick with the code.

Commissioner Bowe stated that she agrees with Commissioner Cross and while she sympathizes with the applicant and understands their desire, the code is pretty clear. She stated that she also agrees that it is important that the Commission abide by the codes so there is not a precedent set for the next application.

Commissioner Urbanski noted that the Commission had received the photos submitted by Mr. Krone. He stated that he had also been out to look at the property and agrees that this request does not meet the requirements to grant a variance. He stated that the Commission is not telling Mr. Krone that he cannot build a garage, they are just telling him he cannot build a garage where it currently sits. He stated that he understands why Mr. Krone is trying to do this from a cost saving measure, which he completely appreciates, but everyone is in the same place right now with the adoption of a new lifestyle. He stated that the Commission needs to follow code in this situation.

Mr. Krone stated that the garage was built first and has always existed that close to the alley way and then the shop was added on later. He stated that he is assuming the shop was added sometime in the 1950s, but the garage was probably built in the late 1930s or early 1940s.

Motion by Commissioner Brass, second by Commissioner Bowe, to recommend denial of the major variance request to exceed the height requirements for accessory structures (Zoning Ordinance 9.22.8), and to expand a nonconforming structure (Zoning Ordinance 2.4.1.2), to the City Council based on the following findings

FINDINGS:

1. The property in question can be put to a reasonable use under the current regulations and setbacks. The property currently has a home and accessory building on the property. There are no unique physical constraints on the property which would otherwise make the property unusable.

2. Staff also feels that the variance, if granted, will alter the essential character of the area. An accessory building exceeding the maximum height would set a negative precedence and alter the essential character of the area.

3. There is a reasonable alternative to the variance. The applicant can explore adding on to their home.

4. The variance would not improve an existing non-conforming condition rather it will make it worse. The detached garage currently does not meet rear and side yard setbacks. The proposal to add height to the detached garage would make the non-conformity larger.

Roll Call Vote: Ayes – all. Motion Carried.

8.Other Business

8.A. Receive Other Meeting Minutes

8 A.i. Receive the Minutes of the Sept 14th and Sept 21st 2020, City Council Meetings.

8 A i.i. Receive the September 21st Draft EDA Meeting Minutes.

Commissioner Brass

- Expressed his appreciation to the teachers in the community during COVID-19

Chairperson Dahlke

- Happy that Lyman is open and noted that he feels it was planned very well because the traffic flows much better.

Commissioner Bowe

- Expressed her appreciation for the group of people gathering on Saturdays to clean up the City. She stated that she would like there to be things like this planned on a larger scale in the future and more involvement.

Commissioner Rylee

- Stated that he does not like the 15-foot blanket rule for building height within R-2 and would like to have some discussion about that issue

9. Adjourn

Motion by Commissioner Urbanski, second by Commissioner Cross to adjourn the meeting at 8:55 pm.
Roll Call Vote: Ayes – all. Motion carried.

1. Call to Order
Chairperson Dahlke called the meeting to order at 7:00 pm.

Chairperson Dahlke read aloud a statement explaining that due to the COVID-19 pandemic the Chaska Planning Commission met via electronic means. He explained how the public can still be involved in the meeting and discussions.

2. Roll Call
Roll call was taken. Members present: Commissioners Brass, Lacey, Olson, Rylee, Sailer, Urbanski and Chairperson Dahlke.

Members absent: Commissioners Bowe and Cross

Also present: Kevin Ringwald, Community Development Director; and Liz Hanson, City Planner.

3. Adopt the Agenda
Motion by Commissioner Urbanski, second by Commissioner Sailer to adopt the agenda as presented.
Roll Call Vote: Ayes – all. Motion carried.

4. Visitor Presentation

There was no one present.

5. Minutes
Motion by Commissioner Sailer, second by Commissioner Lacey to approve the minutes of the Oct 14, 2020 Planning Commission meeting minutes.
Roll Call Vote: Ayes – all. Motion carried.

6. Consent Agenda

None.

7. Action Items:

7. A. POSTPONED PUBLIC HEARING: Recommendation of the Preliminary Site & Building Plan, Preliminary Plat and Rezoning for Oak Ridge/RCS-RCA Oak Ridge LLC/PC #2020-17

7. B. PUBLIC HEARING: Approve the Preliminary Plat and Rezoning for Harvest West 3rd (fka Harvest West North)/Traditions Development/PC #2020-22

City Planner Liz Hanson presented item to the Commission.

Commissioner Urbanski asked about the access to the conservation area and clarified that they were currently asking for one access point.

City Planner Hanson stated that they have two access points proposed and noted that she had marked in her presentation, where there is potential for another access point.

Commissioner Urbanski stated that he believes the proposed access point further to the east makes the most sense.

Commissioner Rylee asked about wetland mitigation for the wetlands on the western side of the property and asked how that would be handled within the development.

City Planner Hanson stated that she will have the developer answer that question.

Commissioner Rylee stated that a 25-foot retaining wall is significant and asked if there were any precedents for a retaining wall of that magnitude anywhere else in the City within a residential area.

City Planner Hanson stated that she thinks this may be the first one of this height within a residential area.

Commissioner Rylee explained that this throws up red flags for him and would like to know the construction methodology, the inspection regime, and the life of the wall relative to the community.

City Planner Hanson stated that she believes the developer can provide more details on longevity and a maintenance plan. She stated that from the City's standards they have to be engineered walls and have to be designed to withstand loads.

Dave Nash, Alliant Engineering, stated that for any wetlands that they are impacting on the site, they will be purchasing wetland banking credits. He noted that since the plans have been submitted their wetland specialist has submitted an application asking for the wetlands on the west side of the site to be exempt because of some of the historical documentation of this area. He stated that he agrees that a 25-foot retaining wall is high and has worked on a few other projects who had similar walls. He stated that this site is difficult and they tried to minimize walls as much as possible. He stated that he cannot answer the question about its longevity but there will be a registered structural engineer that will design the wall which will be submitted for approval to the City. He stated that regardless of what material is used for the wall there will be many tie-backs associated with it. He noted that the HOA will be responsible for the maintenance of the wall.

Commissioner Olson asked about the eastern cul-de-sac and whether there will be sidewalks on both sides or just on the side with the houses.

City Planner Hanson explained that there will be sidewalks on both sides and will also be a sidewalk on the western side of Red Cedar Drive but not along the edge of the retaining wall.

Commissioner Olson stated that it doesn't make sense that the 6 homes in this area will have to cross the street in order to gain access to a sidewalk. He stated that this causes him concern, but his larger concern is the retaining wall, the height difference between the houses, and noted that it appears that the Manor houses will be towering over the Heritage lots. He stated that he doesn't think this will be aesthetically pleasing to anyone.

City Planner Hanson stated that she feels this concern is valid.

Mr. Nash stated that they have had some discussion regarding this issue and Robert Thomas Homes sees it the opposite way and are rather excited with the views that these homes will have and not be blocked by the homes down below. He stated that they are excited by the tiered design even though they would prefer not to have that large of a retaining wall.

Commissioner Lacey expressed his concerns regarding the retaining wall. He stated that in his 13 years living in his neighborhood he has seen the rebuilding of the retaining walls that were just 6 and 8 feet tall. He stated that he feels maintenance of the retaining wall will be a daunting responsibility for the HOA and is very interested in seeing what the structural engineer will say about mitigating the possibility of collapse.

Commissioner Urbanski stated he likes the concept of this plan, but is concerned about the 25-foot-tall retaining wall. He stated that if there needs to be repairs or maintenance done, it will require large equipment gaining access to the wall because it is so tall. He suggested that there could be something included in the HOA documents so future buyers understand the risks of living along the retaining wall and what it may take to rebuild the wall if there are issues with it.

Commissioner Sailer stated that he would echo many of the points already made by the other Commissioners. He stated that during the Concept Plan phase, one of his concerns was that all that is seen is rooftops because they are very small lots. He stated that he is disappointed that the lot count remained the same and the lots were shrunk down. He stated that he would like to see 4 or 5 lots eliminated from the Manor section to increase the space in the yards to make up for some of the other encumbrances that the topography and design plan bring.

Commissioner Brass asked how many of the lots are impacted by the retaining wall.

City Planner Hanson stated that she believes it is about 16 lots.

Commissioner Brass stated that he agrees with the concerns expressed by the other Commissioners regarding the height and upkeep of the wall. He stated that he has had many commercial properties that have had issues with retaining walls related to water damage and in some cases has been almost a constant battle and those walls are only about 12 feet tall. He asked if there would be other safety measures taken such as fencing along the retaining wall.

City Planner Hanson explained that fencing is required for any retaining wall that exceeds 4 feet in height and they are opting to put in fencing for any portion of the wall that exceeds 30 inches. She clarified that most, if not all of the retaining wall, will have fencing on top of it.

Commissioner Brass stated that he has concerns with safety and children jumping the fence because that would be a very large drop.

Commissioner Rylee stated that he is thinking from the standpoint of when he was a kid and if he had a 25-foot wall that ramped down to nothing in his back yard, he stated that he and all of his buddies would be climbing up and down the wall. He stated that he is not sure the City should be encouraging this kind of thing in a residential area.

Commissioner Brass agreed and stated that the thought of this being located in someone's backyard is frightening. He stated that he understands the topography of the land, but this retaining wall is a bit concerning to him.

Chair Dahlke asked if there had been any thought given to any alternatives of a straight drop from the retaining wall.

Mr. Nash stated that from an engineering standpoint there are no other alternatives to the retaining wall.

Commissioner Rylee stated that he will go on record and say that he believes this is bad planning and thinks it is not fair in the long-term to the homeowners. He stated that he also thinks it creates risk for the developer with exposure to kids climbing up and down the wall. He stated that he understands the developer is trying to fit in as many lots as possible, but he does not think this is appropriate.

Commissioner Sailer asked if there would be a way to revise the plan with larger lots below the retaining wall and make it so the wall is not part of the yards.

Commissioner Brass stated that this is a problem because the backyards basically have a 25-foot wall and while he understands that this is an open market, but on the safety and upkeep side, he is concerned. He stated that he will go on record with Commissioner Rylee and say that he does not think this is the greatest design.

Commissioner Lacey asked at what point the responsibility for the retaining wall will transfer to the HOA.

Mr. Nash explained that he doesn't know the legal aspect of the answer of when the HOA is officially established, but technically, as soon as the HOA is established with the development it will become their responsibility.

Commissioner Lacey suggested that if there is a bit of shared 'skin in the game' there may be a bit more attention paid to the engineering and ways to over-build in order to reduce the potential for disaster.

Mr. Nash stated that once the wall is built and the HOA has been created, Robert Thomas Homes/Traditions will own the lots until they are sold which means it will be the developer's responsibility until the lots are sold to an individual party.

Commissioner Lacey stated that he has seen other walls fail and it is always at the complete inconvenience to the people who live around the walls.

Commissioner Brass asked about the drainage in the area and asked if there is a failure of the wall, whether there would be a risk, for a soil failure where it could collapse into the homes below.

Mr. Nash stated that they have not done any studies on the collapse of the wall, but their site has a drainage system as shown on the plans. He noted that a structural engineer will take all these factors into consideration when he is making his design for the retaining wall.

Commissioner Brass asked if it would drain out through underground pipes that expose themselves throughout the wall and drain to the lots below.

Mr. Nash stated that he is not the designer, so he cannot answer that question. He reiterated that he would assume that when this is designed the structural engineer will see the catch basins that were included in the backyard plans and connect the drain tile to those basins and straight into the stormwater system.

Commissioner Sailer asked if all of these homes would have drain tile from the wall to the street and noted that the Commission had discussed the Chaska red clay soils during the Concept Plan discussions.

Chair Dahlke stated that the Commission has a lot of consternation about this part of the project and asked if the developer could work on this area and come back again with more information surrounding a maintenance plan, drainage and other design details for the retaining wall.

Commissioner Urbanski stated that he thinks this is a good idea and he would have a hard time voting to move this forward right now. He stated that he would also like the developer to evaluate making a change and making this is a smaller structure than what he is calling "Mount Chaska".

Commissioner Brass stated that he agreed with Chair Dahlke and noted that he feels uncomfortable about the size of the wall. He stated that he would like to see the engineer's design ahead of time and not just hear the developer tell the City that an engineer will be designing the wall. He stated that he would like information on drain tile design and an understanding of the percentage chance of failure or soil collapse. He stated that he would also not feel comfortable moving this forward right now.

Chair Dahlke stated that he would also like to see what the proposed fencing will look like at the highest portion of the wall.

Commissioner Rylee stated that he would like to ensure that the design of the wall and fencing ensures that it doesn't become a jungle gym for kids to climb on.

Commissioner Sailer asked what the distance between the Manor homes will be.

City Planner Hanson explained that it will be a minimum of 60 feet and as large as about 75 feet.

Commissioner Urbanski asked if the Commission could table this discussion until next month in order to get more information on the retaining wall.

City Planner Hanson stated that the Commission will still need to open and close the public hearing before any motion is made.

Community Development Director Ringwald stated that this seems like an easterly heavy issue and asked if it may make sense for the applicant to bifurcate this and advance the west side in order to allow for further discussion regarding the concerns the Commission has regarding the eastern side of the development.

Mr. Nash stated that they would like to do the whole development at one time, in one phase.

Commissioner Olson asked about the connection through the preserved area and whether it would be paved or gravel.

City Planner Hanson stated that the way it is framed out is for it to be a paved path.

Commissioner Sailer asked if the HOA would need to maintain the path.

City Planner Hanson stated that the City would maintain the openings and what is in the conservation area because they will be deeded to the City.

Mr. Nash explained that the City would be building the trails within the conservation area and they are building the trails to the edge of the lots.

Chair Dahlke opened the public hearing for comment at 8:02 p.m. There being no public comment, Chair Dahlke closed the public hearing at 8:03 p.m.

Motion by Commissioner Urbanksi, second by Commissioner Lacey, to table the request for approval of the Preliminary Plat for Harvest West 3rd (PC #2020-22) until the Commission can get more information regarding the extent, safety, maintenance, and possible reconfiguration of the retaining wall.

The Commission listed off other things they would like included when this is brought back to the Commission:

Information on fencing; drain tile plan; engineering plans; construction materials for the retaining wall; statistical analysis for failure of the wall or soil failure similar to a mudslide for the homes below; impact to the homes if it needs to be repaired or rebuilt; construction inspection regime of who is responsible and what they are doing.

The Commission expressed concern about the eventual large expense to the members of the HOA when this wall will need to be repaired.

Community Development Director Ringwald suggested that the motion be amended to include a date when it will be brought back to the Commission.

Motion amended by Commissioner Urbanksi, second amended by Commissioner Brass, to table the request for approval of the Preliminary Plat for Harvest West 3rd (PC #2020-22) until the January 13, 2021 Planning Commission meeting so the Commission can get more information regarding the extent, safety, maintenance, and possible reconfiguration of the retaining wall and the other items as discussed.

Roll Call Vote: Ayes – all. Motion Carried.

8. Other Business

8.A. Receive Other Meeting Minutes

8 A.i. Receive the October 5, October 19, November 2 and November 16 City Council Meeting Minutes

8 A i.i. Receive the September 15th Park Board Meeting Minutes

Commissioner Lacey

- Chaska lost a great ambassador and employee, Karen L. Campbell, who worked for Parks and Recreation. He stated that he wanted to acknowledge the value that Karen brought to this community and stated that she will be greatly missed.

Commissioner Rylee

- Expressed his appreciation to City Planner Hanson for her hard work on her presentation and the due diligence that she implemented.

Commissioner Urbanski

- Asked about the Big Woods Boulevard project and its retaining wall. He asked when the fencing would be up or if there was a deadline.

Community Development Director Ringwald stated that he didn't know but could find out from the City Engineer. He noted that he suspected that the delay may be due to materials.

Chair Dahlke

- Expressed his appreciation to Kevin Wright, Kevin Ringwald and City Planner Hanson for all of their hard work in this odd year.

9. Adjourn

Motion by Commissioner Olson, second by Commissioner Brass to adjourn the meeting at 8:24 pm.

Roll Call Vote: Ayes – all. Motion carried.