

**- MINUTES -
CHASKA CITY COUNCIL
APRIL 3, 2023**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

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

Absent: None.

Also Present: Kevin Wright, Communication Director; Elise Durbin, Assistant Administrator; and Jake Saufley, City Attorney;

Mayor Windschitl noted City Administrator Matt Podhradsky was absent as he was supporting his son at a curling tournament.

4. Adopt the Agenda

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

5. Visitor Presentation

Barbara Fleet, 105 East 1st Street, explained she is speaking on behalf of all residents of The Landing. Originally certain roads were supposed to be closed through November due to the highway construction. The businesses complained, so the City appeased them by diverting traffic on 1st Street. The residents of The Landing were unaware of the change until the past month. Residents believe the change was totally absurd and shocking as it will be a total catastrophe for senior residents in the area.

Ms. Fleet stated some large trucks are being diverted elsewhere, but it will not divert garbage trucks, delivery trucks, and the like. In the past year, 64 calls have been made to the Fire Department from the area. The emergency vehicles already have to complete a U-turn to accommodate the senior living areas.

Ms. Fleet noted the noise level and air pollution will be extremely impactful. Additionally, the decision was extremely disrespectful to senior residents. She requested Hwy 41 be closed until November, as originally planned. The businesses can remain open either way. Marketing can be completed through flyers and newspapers to promote visits to the businesses.

Councilmember Hatfield stated she has had similar thoughts, but there is no solution to appease everyone. Both the businesses and residents are important parties. The City is ensuring proper

signage and diversions are made. One of the goals of the Council is to promote a vibrant downtown area and closing the highway would be a detriment to that effort. Also, the businesses will need additional marketing efforts regardless.

Ms. Fleet stated seniors' lives are more important than businesses. Councilmember Grau stated that statement is unfair as people dying is hypothetical. If there were safety issues, then the system would be readdressed. The Council does not want to negatively impact anyone in the community. He agreed the decision is not easy. He thanked Ms. Fleet for her comments.

Ms. Fleet stated she would like the highway to remain open and for the businesses to try the marketing effort. If that is not an option, the City needs to monitor the area for the first week or two of the change to see the detrimental impact it will have on the seniors.

Mayor Windschitl stated safety is the first priority of the Council. There are a lot of people out in the area, but it is not as regular for folks to cross the street in that area. The intersection will also remain closed until approximately July. He agreed it would be a zoo for the first couple of weeks until folks adjust to the change and realize it is faster to take 101 around Chaska rather than going through it. Also, the box trucks and delivery trucks are already driving through the area, and that will not be increased due to the change.

Ms. Fleet stated the Council will see the reality of the impact in the first couple weeks of the change. Mayor Windschitl explained there are plenty of opportunities to change the decision if there is a need.

Mayor Windschitl stated there has been notifications in the newspaper and through flyers, but The Landing should have been more involved in the decision. He will ask Staff to review the process and determine how there wasn't more conversations with The Landing as the decision was made in September 2022.

Ms. Fleet pointed out there has been a large turnover in management at The Landing. Assistant City Administrator Elise Durbin confirmed Staff has tried to reach out to management at The Landing multiple times, but the first opportunity to speak with them was last week.

Mayor Windschitl added the project would cost a lot more money to change it currently. If there is a safety issue, the City will make changes as needed. He thanked Ms. Fleet for her comments.

Councilmember Hatfield pointed out there have been steps to ensure safety of residents in the area. For example, parking is restricted to promote pedestrian safety despite objections from businesses. The decision is a combination of compromises and can be amended if there are issues of safety. She thanked Ms. Fleet for her comments.

6. Approve Previous Meeting Minutes

6.A. Approve the March 20, 2023 City Council Meeting Minutes

Motion by Councilmember Hatfield, second by Councilmember Grau to approve the minutes of the March 20, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

Mayor Windschitl asked for clarification on Consent Agenda Item 7.H. Adopt Resolution No. 2023-32 Recommending Council Approve the 2nd Amended Exchange Agreement regarding the Hickory Addition Development and Final Plat. City Attorney Jake Saufley explained there have been title issues, so the motion is to formalize the idea that the changes are temporary and has specific long-term plans.

Mayor Windschitl asked who did the survey. Mr. Saufley stated the developer did the survey. The property has to be split in accordance with Carver County rules because the current plan does not align with the original plan approved by the council from last year.

Mr. Saufley explained there is an image in the packet with an area outline in yellow that is owned by the City. There is an area of land above and to the left of the City's land that is three separate parcels. It is difficult to see because the County has combined the piece of land in question into one on the image. He provided additional explanation on the County's process. He added the change will result in more land coming to the City. Overall, the item is in line with the Council action taken back in May 2022.

Councilmember Huang asked why the plat doesn't match the Council action. Mr. Saufley stated the plat doesn't exist yet. The change is happening out of necessity because it was previously unplatted. There is a lot of confusion in the property records which has created several technical issues. The action item is to clear up historical land record issues. He agreed the matter is confusing.

David Pokorney, Community Asset Development Group representative, explained there is a set of legal descriptions as part of the property that don't match up with one another. Staff and the developer have been working through the records to determine who owns what. There was a parcel of land exchanged with the City and the previous owners during the flood work. At that time, the legals were completed incorrectly. The Consent Agenda Item 7.H. Adopt Resolution No. 2023-32 Recommending Council Approve the 2nd Amended Exchange Agreement regarding the Hickory Addition Development and Final Plat will actually allow the City to own more than the County records currently indicate. Then Hickory Investments will own outlot A for the planned development.

Mr. Saufley added the issue has been ignored over time, but they are finally sorting it out. Mayor Windschitl stated visuals would be helpful for the Council to understand. He asked if the lot will be squared off.

Mr. Saufley stated there will only be changes to the City-owned parcel. The plat isn't a factor except for that this is part of the platting process. The City owns the parcel as one PID, and it needs to be split into two. From there, the 20 feet on the southeastern edge will not be part of the plat, which is conveyed in the proposed item. The agreement with the developer also needs to be amended to reflect the changes.

Mayor Windschitl asked if there is a sale as part of the item. Mr. Saufley stated it is a temporary swap. After the developer records the plat, then they will move forward with the development agreement. He agreed he should have included more visuals. Mr. Saufley showed an image from Action Item 8.A. PUBLIC HEARING: Adopt Resolution No. 2023-25 Approving a Vacation of the Drainage Control Easement on 401 Hickory Street/Community Asset Development Group/PC #2023-08.

Motion by Councilmember Hatfield, second by Councilmember Huang to approve the Consent Agenda Items A through H:

A. Temporary Liquor Licenses for SouthWest Metro Chamber of Commerce

Motion to approve Temporary On-Sale Intoxicating License TW.23-01 and Temporary On-Sale 3.2% Malt Liquor License T32.23-01 for the SouthWest Metro Chamber of Commerce at Taste of Chaska.

B. Adopt Resolution No. 2023-26 Approving the Plat Correction for Oak Creek

Motion to adopt Resolution No. 2023-26, approving the correction to the plat of Oak Creek.

C. Adopt Resolution No 2023-27 Amending 2022 Fund Budgets

Motion to adopt Resolution 2023-27 Amending 2022 Fund Budgets.

D. Adopt Resolution No 2023-28 Approving the Award Bid for 2023 Overlay Program CTC Cart Path

Motion to approve Resolution No. 2023-28 awarding the bid for the 2023 Overlay Program CTC Cart Path to Park Const in the low bid amount of \$377,380.72.

E. Adopt Resolution No 2023-29 Approving the Award Bid for 2023 Overlay Program

Motion to approve Resolution No. 2023-29 awarding the bid for the 2023 Overlay Program to Northwest Asphalt in the low bid amount of \$391,313.14.

F. Adopt Resolution No. 2023-30 Establishing a Public Hearing Relating to Conduit Financing on behalf of Ridgeview Medical Center

Motion to adopt Resolution 2022-30 relating to a financing on behalf of Ridgeview Medical Center and calling for a public hearing.

G. Adopt Resolution No. 2023-31 Establish 2023 Interfund Tax Increment Financing

Motion to adopt Resolution 2023-31 providing 2023 interfund tax increment project financing.

H. Adopt Resolution No. 2023-32 Recommending Council Approve the 2nd Amended Exchange Agreement regarding the Hickory Addition Development and Final Plat

Motion to adopt Resolution No. 2023-32 to recommend that City Council approve the 2nd Amended Exchange Agreement to the HICKORY ADDITION development and final plat along with a lot split and conveyance of certain real property to allow recording of the HICKORY ADDITION final plat.

Motion carried.

8. Action Items

8.A. PUBLIC HEARING: Adopt Resolution No. 2023-25 Approving a Vacation of the Drainage Control Easement on 401 Hickory Street/Community Asset Development Group/PC #2023-08

Assistant City Administrator Durbin introduced the item to the Council and City Planner Liz Hanson provided a presentation on it.

Councilmember Grau stated the existing easement is referred as "too big" in the documents, but it appears to be bigger with the changes. Ms. Hanson stated there are draining and utility easements covering a larger area, so it appears bigger.

Mayor Windschitl opened the public hearing at 7:51 p.m.

No one wished to address the Council.

Mayor Windschitl closed the public hearing at 7:51 p.m.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Resolution No. 2023-25 to approve Vacating the Drainage Control Easement on the property of 401 Hickory Street and recorded in Carver County as Doc. No. T90050 (PC #2023-08).
Motion carried.

8.B. Appoint a Youth Representative to the Parks & Recreation Commission for 2023

Mayor Windschitl explained the Council had interviews with two well-qualified candidates, but the Council has decided to move forward with appointing Samsam Hassan to the Parks & Recreation Commission. He thanked the other candidate for her time and encouraged her to apply for another role as it was a hard decision.

Motion by Councilmember Hatfield, second by Councilmember Grau to Appoint Samsam Hassan as Youth Representative to the Parks & Recreation Commission for 2023.
Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 3-4-2023

The Council requested further information about bills on pages 12 and 25.

Assistant City Administrator Durbin 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

Mayor Windschitl noted there were a number of items for golf resale.

Motion carried.

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 3-4-2023

Councilmember Hatfield:

- Noted there is Food Distribution on April 20, 2023.
- Pointed out Police Department opened up Safety Camp for registration. It is a two-day event in July, and there may be scholarships available.

- Spoke with former Mayor of Chaska Tracy Swanson and Councilmember Hubbard regarding Women's History Month. She thanked everyone involved in the celebration and recognition of Women's History Month.
- Encouraged everyone to continue shopping downtown as the businesses continue to be impacted by construction.
- Explained there are a number of resources for business owners including free Farmer's Market booth space, a monthly mailer in the newspaper, a loosened ordinance for signage, and more.

Councilmember Hubbard:

- Noted her agreement with Councilmember Hatfield's comments on Women's History Month.
- Attended Capital Investment Committee meeting regarding City Square West.

Councilmember Huang:

- Attended a meeting regarding Hwy 41 and Engler.
- Pointed out DECA qualifies 5 students for the International Conference and Chaska Speech coach is named the NSDA-Southern Minnesota Coach of the Year Award. As for arts, 10 Art Students had their art work represent at the Metro West Conference Visual Arts Festival. 2 earned Achievement awards and 1 received an Excellence award. In athletics, Freshman wrestler placed 5th at State Tournament. He is the youngest State placer in school history. Girls Basketball Team ended season as Section 2AAAA runner-up. The Girls Basketball coach was named the section 2AAAA head coach of the year. Also, a Girls basketball player was named to the 2022-23 Star Tribune All Metro First Team and to the Class AAAA All-State Team. The StormHawks Swim & Dive finish in 8th place as a team at State Tournament. Also, Chaska Swimmer finishes 12th in the 200 IM and was part of the 4th place 200 relay team.
- Added City Administrator Podhradsky is in Boston because his son Will's team is participating in the U21 Junior National Championships for Curling at the Broomstones Curling Club in Boston.

Assistant Administrator Durbin:

- Pointed out the next meeting is April 17, 2023 with a Work Session.

Mayor Windschitl:

- Noted the Police Department received a grant for new AEDs. The Fire Department will also receive a device called LUCAS that helps to do compressions thanks to an employee who took the initiative. The device is on loan from Eden Prairie.
- Added the Easter Egg Hunt will be April 8, 2023 at 10:00 a.m. at City Square Park. The event is hosted by Chaska Legion Auxiliary.
- Wished everyone a Happy Easter and encouraged everyone to enjoy the warm weather coming up.

11. Adjourn

Motion by Councilmember Grau, second by Councilmember Huang to adjourn the meeting at 8:18 p.m.
Motion carried.