

- MINUTES -
CHASKA CITY COUNCIL
AUGUST 21, 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, and Hubbard.

Absent: Councilmember Huang.

Also Present: Matt Podhradsky, City Administrator; Kevin Wright, Community Engagement Manager; Elise Durbin, Assistant Administrator; Liz Hanson, City Planner; Christophe Morschen, City Attorney; and Matt Clark, City Engineer.

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. Growth Through Opportunity (GTO) Program Recap

This item was addressed after 5.B. Historical Society Update – Lisa Oberski, which was addressed after 5.C. Beyond the Yellow Ribbon – Libby Fairchild.

5.B. Historical Society Update – Lisa Oberski

This item was addressed after 5.C. Beyond the Yellow Ribbon – Libby Fairchild.

5.C. Beyond the Yellow Ribbon – Libby Fairchild

Libby Fairchild explained Beyond the Yellow Ribbon was established six years ago, and there is an upcoming golf event. She explained they are looking for golfers for the September 11, 2023 event. There is lunch and dinner included.

5.B. Historical Society Update – Lisa Oberski

Lisa Oberski noted there are a number of activities coming up. There is an ongoing interactive exhibit. Fall hours will be starting next week, but they are happy to accommodate additional times by appointment.

Ms. Oberski added there is an opportunity to see an old-time medicine reenactor on September 15, 2023 and September 23, 2023. Lastly, walking ghost tours of downtown Chaska are offered in October.

5.A. Growth Through Opportunity (GTO) Program Recap

Chaska Police Department's Julie Janke explained the Growth Through Opportunity program had just wrapped up. It was a successful program, and she showed a video with highlights of the program. Officer Janke pointed out the program was featured by CBS News and it will be on the League of Minnesota Cities will highlight GTO as well.

One participant, Christian noted his appreciation of the electrical and administrative rotations. Also, all Staff were great to work with. Another participant, Wesley, shared his favorite part was working with the Fire Department. Officer Janke noted it was the third City to implement this type of program. The two participants were presented with coins from the Police Department.

5.D. Visitor Presentations

Dan Kruse, 4275 Creek Road, stated the development near his property is causing negative impacts on his personal property and his business. They have been dealing with the issue for six years, and people are trying to take his driveway away. He asked for someone from the City to walk the property with him to see his concerns. Mr. Kruse added he has asked for permit documentation several times, and he has not received any response. The land has been surveyed, and his property is being infringed upon.

City Administrator Podhradsky offered to provide a Staff summary to Mr. Kruse and the Council. There seems to be some misunderstandings.

Councilmember Grau noted he has spoken to Mr. Kruse previously. He asked if Mr. Kruse is requesting a visit from a Councilmember or from a Staff member. Mr. Kruse explained he isn't sure who would be the best person to visit his property. He needs someone to talk to him about the right of way and the related documentation.

Podhradsky offered to visit his property. He pointed out consultants and multiple Staff have been to his property. Mr. Kruse stated no one has provided him with specific answers or the relevant documentation. Nothing has been provided to him in writing.

6. Approve Previous Meeting Minutes

6.A. Approve the July 31, 2023 City Council Meeting Minutes

Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the minutes of the July 31, 2023 City Council meeting.
Motion carried.

7. Consent Agenda

Councilmember Grau noted his appreciation of the item related to setbacks. Mayor Windschitl added it is nice to see Red Bench Bakery expanding.

Motion by Councilmember Hatfield, second by Councilmember Grau to approve the Consent Agenda Items A through J:

- A. Adopt Resolution No. 2023-61 for Counting Write-In Votes for Local Elective Office

Motion to adopt Resolution No. 2023-61 requiring candidates for city office to file a written request with the chief election official no later than the seventh day before the city election if the candidate wants to have the candidate's write-in votes individually recorded.

- B. Adopt Ordinance No. 2023-1035 Amending Chapter 5, Article 5.04, Sections 5.04.030 and 5.04.080 of the Chaska Minnesota Code of Ordinance

Motion to amend Chapter 5, Article 5.04, Sections 5.04.030 and 5.04.080 of the Chaska Minnesota Code of Ordinances as provided.

- C. Adopt Resolution No. 2023-64 Awarding Bid for 2023 Chaska Town Course Clubhouse Roof and Removal

Motion to approve Resolution No. 2023-64 awarding the bid for the 2023 Chaska Town Course Clubhouse Roof and Removal to Allied Construction in the low bid amount of \$207,500.00.

- D. Resolution 2023-65 Authorizing Signature of Professional Services Contract with Minnesota Department of Transportation (MNDOT) for Archeological Mitigation

Motion to adopt Resolution 2023-65 Authorizing Signature of Professional Services Contract with Minnesota Department of Transportation (MNDOT) for Archaeological Mitigation Related to Highway 41/61 Reconstruction in Downtown Chaska (Site 21CR0173).

- E. Adopt Resolution No. 2023-66 Fire Sprinkler Assessment Petition for 500 Chestnut Street N.

Motion to Adopt Resolution No. 2023-66 Receiving a petition and waiver of a public hearing, ordering the improvement, and adopting the assessment for the construction of a private fire protection system.

- F. Resolution 2023-67 Bond Sale Reimbursement

Motion to adopt Resolution 2023-67 relating to financing certain proposed projects and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

- G. Adopt Resolution No. 2023-68 Approving the Final Site & Building Plan and Final Plat for Structures, Inc./Jeremy Banken/PC #2023-19

Motion to adopt Resolution No. 2023-68 approving the Final Site & Building Plan and Final Plat for Structures, Inc. (PC #2023-19).

- H. Approve Temporary On-Sale Intoxicating Liquor License - Chaska Rotary Foundation

Motion to approve Temporary On-Sale Intoxicating License TW 23.06 for the Chaska Rotary Foundation, that allows them to serve intoxicating beverages at Chaska Cares Music Festival, on Saturday, October 7, 2023.

- I. Adopt Resolution #2023-70 Items Related to the Funding of the Creek Road Trunk Sewer Project

Motion to approve the agreement between the Department of Housing and Urban Development and the City of Chaska for Community Project Funding and authorize the City Administrator to execute the agreement.

Motion to adopt Resolution No. 2023-70 acknowledging the commitment of funds for the Creek Road Trunk Sewer Project and authorizing the Mayor and City Administrator to execute any agreements for the TEDI funding.

- J. Establish a Public Hearing for Proposed SSD 2024 Operating Plan, Budget, and Service Changes

Motion to set the public hearing for October 2, 2023, to review and approve the proposed SSD 2024 operating plan, budget, and service charges and direct staff to give notice of the public hearing.

Motion carried.

8. Action Items

8.A. Adopt Resolution No. 2023-69 and Ordinance No. 1036 Approving the Variance and Rezoning Request from the Wooded Steep Slope Setbacks for Linda Carlson's Home/Linda Carlson/PC #2023-18

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

Councilmember Grau asked if there will be signage referring to private entry. Ms. Hanson confirmed that was correct.

Mayor Windschitl noted his concern about parking.

Councilmember Hubbard asked what the timeline for development will be. Ms. Hanson stated the timeline is unknown.

Mayor Windschitl asked if the City is setting themselves up for an issue considering the steep slopes. Mr. Podhradsky stated a majority of the lot is developable. It is necessary to create an access to the property, which is unique to this situation.

Councilmember Hubbard noted concern about the noise. Mr. Podhradsky confirmed all noise ordinances at the property have been respected.

Mayor Windschitl asked if DR Horton will have to buy additional land from the current property owner. Ms. Hanson explained DR Horton expects a different developer could work with the property owner for any future purchases that continue to be on the property owner's land.

Motion by Councilmember Hubbard, second by Councilmember Grau to adopt Resolution No. 2023-69 approving the major variance request to encroach into wooded steep slope and the 30 foot no grade/no mow setback (Zoning Ordinance 15.28.100.C) in the areas depicted on the site plan dated July 26, 2022 (PC #2023-18).

Motion carried.

8.A.i Ordinance No. 1036

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt Ordinance No. 1036 approving the rezoning from Open (O) to Planned Residential District (PRD-81).

Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 21-8-2023

Motion by Councilmember Grau, second by Councilmember Hubbard 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

Councilmember Hatfield:

- Noted the construction near downtown Chaska is making progress. The construction is starting earlier in the day for the week because of the heat.
- Added Sensory Friendly Safety Day at the Fire Department on August 23, 2023 from 1:00 p.m. to 3:00 p.m.

Councilmember Hubbard:

- Stated the Community Center Open House took place recently. The afternoon gathering was packed, and the evening event was still well-attended. The presenters are looking for feedback regarding the proposal.
- Pointed out Chaska Celebrates African Cultures will be September 8, 2023 6:00 p.m. to 9:00 p.m. at the Chaska Event Center.
- Noted she plans to attend an upcoming neighborhood meeting.

Councilmember Grau:

- Noted the County approved the park and ride plan for the Renaissance Festival. It is not directly related to Chaska, but impacts the City due to the increased traffic.
- Added it was his son's 11th birthday recently.
- Acknowledged the end of a successful baseball season.

Assistant City Administrator Elise Durbin:

- Noted tunnel construction will commence on the east side of Hwy 41.

City Administrator Matt Podhradsky:

- Explained the Chaska Cares Music Festival will be at the Chaska Athletic Park on October 7, 2023. The festival is a fundraiser hosted in conjunction with the Rotary Club of Chaska. It is a first-time event.

Mayor Windschitl:

- Pointed out the next Council meeting is September 11, 2023.
- Stated the Latin Food and Music Festival is September 22, 2023 at Firemen's Park. The event is 5:00 p.m. to 11:00 p.m.
- Noted the water tower was demolished.
- Stated Congressman Emmer has opened an office at the Hazeltine office building.
- Stated Farmer's Market is still happening weekly.
- Added the Fire Department Open House is September 11, 2023 from 5:00 p.m. to 8:00 p.m.

10.B. Financial Reports as of 6/30/2023

11. Adjourn

Motion by Councilmember Grau, second by Councilmember Hubbard to adjourn the meeting at 8:40 p.m.

Motion carried.