

- MINUTES -
CHASKA CITY COUNCIL
SEPTEMBER 18, 2023

1. Call to Order

The meeting was called to order by Mayor Windschitl at 7:06 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: Matt Podhradsky, City Administrator; Noel Graczyk, Administrative Services Director; Kevin Wright, Community Engagement Manager; Elise Durbin, Assistant City Administrator; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Christophe Morschen, City Attorney; Krista Mark, Communications Coordinator and Matt Clark, City Engineer.

4. Adopt the Agenda

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

5. Visitor Presentation

5.A. Update from Chief Seibert on changes made during the 2023 Legislative Session impacting School Resource Officers

Chief Seibert noted the current contract is for two School Resource Officers (SROs) through June 2025 and detailed the responsibilities of SROs.

Chief Seibert explained in 2023, lawmakers included provisions in an education bill amending MN Chapter 121A that limits use of force towards students by SROs. Following the amendments, the authority to use force for the sole purpose of restraining a student has been removed from the law. However, certain compressive restraints and prone positioning are occasionally necessary for SROs to employ.

Chief Seibert added legislation has created a two-tiered system where the new rule applies to SROs or other contracted officers but not to patrol officers. There is resulting ambiguity regarding training and guidelines. He shared a few scenarios highlighting the differing roles between an SRO and regular-duty officer with the new regulations.

Chief Seibert pointed out Chaska Police Department (CPD) met with representatives of the School District to address concerns. SROs remain committed to working in their roles, and leadership has provided guidance to SROs regarding the new regulations.

Chief Seibert stated the Minnesota POST Board issued interpretation on Chapter 121A. The POST Board declared that violations of the new regulations could result in serious sanctions on officer licenses. Up to 50 agencies in Minnesota have removed SROs from contracts or schools and many other agencies have been evaluating and addressing challenges.

Councilmember Huang pointed out some officers may not be comfortable serving as SROs due to the risk for their license. Chief Seibert stated SROs could resign from their positions, then CPD leadership would have to decide if the role should be refilled.

Chief Administrator Podhradsky noted a large majority of the role of SROs is building rapport and relationships within the schools, and it is rarer for SROs to implement force within the schools. The City doesn't want to lose the important community being built up with youth.

Mayor Windschitl stated he doesn't want to lose SROs in the schools, but the Council has to think of what is best for the City. He asked if counsel has an opinion. City Attorney Morschen stated he could compose a memo for the Council.

Mayor Windschitl asked if the schools are lobbying for a change or if it would be the responsibility of the respective cities. Chief Seibert stated the schools are not currently lobbying for a change.

Councilmember Grau stated there is a website where individuals can pledge their support to SROs.

Councilmember Huang stated he respects the opinion of Chief Seibert and the SROs regarding the best actions moving forward. Councilmembers Hatfield and Hubbard noted their agreement with Councilmember Huang.

The Council thanked Chief Seibert for the presentation.

Mayor Windschitl introduced the City's new Communications Coordinator Krista Mark.

6. Approve Previous Meeting Minutes

6.A. Approve the August 21, 2023 City Council Meeting Minutes

Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the minutes of the August 21, 2023 City Council meeting.

Motion carried.

7. Consent Agenda

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

- A. Approve Temporary On-Sale Intoxicating Liquor License – Crown of Glory Lutheran Church

Motion to approve the Temporary On-Sale Intoxicating License TW 22-07 for Crown of Glory Lutheran Church, that allows them to serve intoxicating beverages at their fund-raising event, on October 14, 2023.

B. Adopt Resolution No. 2023-72 Termination of Tax Increment District No. 15

Motion to adopt Resolution No. 2023-72, Relating to the Termination of Tax Increment District No. 15.

C. Adopt Resolution 2023-74 to Authorize Offers for Easements for Minnesota River Bluffs Regional Trail – Chaska Connection

Motion to adopt Resolution No. 2023-74 to authorize city staff to send offer letters to affected property owners for the Minnesota River Bluffs Regional Trail – Chaska Connection.

D. Adopt Resolution 2023-76 Approving the Comprehensive Plan Amendment (CPA) to Update the Local Surface Water Management Plan (Appendix G)/City of Chaska/PC #2023-22

Motion to adopt Resolution No. 2023-76 approving the Comprehensive Plan Amendment (CPA) to Section 5.3.2 of Appendix G: Local Surface Water Management Plan

E. Adopt Resolution 2023-75 Transportation Economic Development Infrastructure Funds for the Creek Road Trunk Sewer Project

Motion to adopt Resolution No. 2023-75 for Transportation Economic Development Infrastructure Funds for the Creek Road Trunk Sewer Project.

F. Adopt Resolution 2023-73 Ordering the improvements and Awarding Bid for the 2023 Creek Road Utility and Street/Trail Improvement Project

Motion to adopt Resolution 2023-73, Ordering the Improvements and Awarding the Bid for the 2023 Creek Road Utility and Street/Trail Improvement Project –to Kusske Construction Co., LLC, in the low bid total amount of \$2,624,480.00 and approving Change Order #1 in the amount of \$10,850 to incorporate state grant requirements.

Motion carried.

8. Action Items

8.A. Adopt Resolution 2023-79 Adopting the proposed 2024 Maximum Property Tax Levy

Mayor Windchitl asked if Action Item 8.A. Adopt Resolution 2023-79 Adopting the proposed 2024 Maximum Property Tax Levy could be addressed after Action Item 8.B. Adopt Resolution 2023-77 Approving the Concept Plan for the Public Safety Facility/City of Chaska/PC #2023-21. There was no objection from the rest of the Council.

8.B. Adopt Resolution 2023-77 Approving the Concept Plan for the Public Safety Facility/City of Chaska/PC #2023-21

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

Multiple members of the Council pointed out how well the planning process has gone.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Resolution No. 2023-77 approving the Concept Plan for the Public Safety Facility (PC #2023-21).

Motion carried.

8.A. Adopt Resolution 2023-79 Adopting the proposed 2024 Maximum Property Tax Levy

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

Motion by Councilmember Grau, second by Councilmember Huang to adopt Resolution No. 2023-79 adopting the proposed assessed 2023 payable 2024 maximum property tax levy. Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 18-9-2023

The Council requested further information about bills on pages 9 and 12.

City Administrator Podhradsky provided further information regarding those bills.

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

10. Other Business

10.A. City Administrator's Report

10.A.i. Bi-Weekly Report 18-9-2023

Councilmember Hatfield:

- Noted Coffee with a Cop will be on Wednesday, September 20, 2023 at McDonalds.
- Stated Food Distribution is on Thursday, September 21, 2023.
- Added the Latin Music and Food Fest is Friday, September 22, 2023.
- Met with the Downtown Business Alliance recently, and a number of events will take place in November.

Councilmember Hubbard:

- Attended Chaska Celebrates African Culture event.
- Noted there is an Open House for two construction projects on Wednesday, September 27, 2023 at the Arboretum.

Councilmember Huang:

- Attended Chaska Celebrates African Culture event.
- Noted there will be an upcoming wireless emergency alert on Wednesday, October 4 at 1:20 pm.
- Pointed out the Chaska Cares event is October 7, 2023.
- Stated House of Representatives will take a tour of Downtown Chaska to consider bonding.
- Noted Southwest Transit carried over 75,000 passengers to the State Fair this year. 91 percent of riders rated the service as good or excellent.

Councilmember Grau:

- Attended Fire Station Open House.

Mayor Windschitl:

- Recognized Jack Worm for retiring after 45 years with the City of Chaska.
- Noted the Council had a work session before the current meeting regarding construction in the City.
- Shared a concern about shrubbery and a trail project.

10.B. Financial Reports

11. Adjourn

Motion by Councilmember Huang, second by Councilmember Hubbard to adjourn the meeting at 10:28 p.m.

Motion carried.