

- MINUTES -
CHASKA CITY COUNCIL
FEBRUARY 26, 2024

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 Huang.

Absent: Councilmember Hubbard.

Also Present: Matt Podhradsky, City Administrator; Elise Durbin, Assistant Administrator; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Christophe Morschen, City Attorney; Matt Clark, City Engineer; Ashley Cauley, City Planning; and Krista Mark, Communications Coordinator.

4. Adopt the Agenda

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

Motion carried.

5. Visitor Presentation

No one wished to present to the Council.

Mayor Windschitl offered his and the City's condolences to the families of the Paul Elmstrand, Adam Finseth, and Matthew Ruge who were killed in the line of duty in Burnsville. He also offered condolences to the Burnsville Police Department, Fire Department, and the larger Burnsville community. There are a number of connections between Chaska and Burnsville. For example, the Elmstrand family resides in Chaska. He thanked all police and fire personnel for their service and sacrificial nature.

6. Approve Previous Meeting Minutes

6.A. Approve the February 5, 2024 City Council Meeting Minutes

Motion by Councilmember Hatfield, second by Councilmember Huang to approve the minutes of the February 5, 2024 City Council meeting.

Motion carried.

7. Consent Agenda

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

A. Appointment of Human Rights Commission Chair and Vice Chair

Motion to appoint Sarah Carlson to serve as Chairperson of the Human Rights Commission and appoint Jennifer Welvaert to serve as Vice-Chairperson of the Human Rights Commission for the calendar year 2024.

B. Appointment of Planning Commission Chair and Vice-Chair

Motion to appoint Rob Brass to serve as Chairperson of the Planning Commission and Todd Urbanski as Vice-Chairperson of the Planning Commission for calendar year 2024.

C. Audit Engagement Letter for 2023 Audit

Motion to approve the 2023 Audit Engagement Letter with MMKR dated February 1, 2024, and authorize the Mayor and City Administrator to sign the Audit Engagement Letter.

D. Consider City Administrator Performance Based Salary Adjustment

Motion to approve administrator goals for 2024 and adjust the City Administrator's annual salary with a 4.5% performance increase retroactive to January 1, 2024.

E. Massage Business License - Kristine Loeffelbein

Motion to approve a Massage Therapy Business License No. MTB. 24-05 for Kristine Loeffelbein as Kristine Loeffelbein Massage Therapy, located at 546 Bavaria Lane, Chaska, Minnesota.

F. Adopt Resolution 2024-12 Accepting Mass Grading Improvements to Chaska Club West Industrial Property and Adjacent Property

Motion to adopt Resolution 2024-12 accepting mass grading improvements to Chaska Club West Industrial property and adjacent property.

G. Adopt Resolution 2024-17 Bavaria Road Turn Lanes at Southwest Christian High School Accepting Feasibility Study, Authorize Preparation of Construction Documents and Schedule Public Improvement Hearing

Motion to Adopt Resolution 2024-17, Accept the feasibility study, ordering the improvements, authorizing preparation of construction documents, and scheduling a Public Improvement Hearing for March 18th, 2024, for the Bavaria Road Turn Lane Improvements at Southwest Christian High School Improvement Project.

H. Lease Renewal for the Arts Consortium of Carver County

Motion to Council to Approve 3-year Lease Renewal with the Arts Consortium of Carver County. Motion carried.

8. Action Items

8.A. Adopt Resolution No. 2024 - 18, Approval of the concept plan for Ensconced Woods 2nd Addition, a 14-lot subdivision, at 3675 Big Woods Blvd (PC #2024-01)

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

Councilmember Grau asked what the scope of the neighborhood meeting was. City Planner Cauley explained any property within 500 feet of the development was notified. The area is largely undeveloped. Some portions of Founder's Ridge were included in the notification.

Councilmember Huang asked if homeowners have the purview to remove trees on their own property. City Administrator Podhradsky stated it has happened before, and the City responds by implementing a remediation plan.

Community Development Director Nate Kabat noted there is a steep slope ordinance to protect certain areas. The title information doesn't include land protections enacted via ordinance. A title may include a preservation easement on top of the area.

Councilmember Huang asked how a homeowner would know about restrictions. City Administrator Podhradsky stated the builder would typically inform the buyer of any restrictions.

Councilmember Grau pointed out it is more of an issue with secondhand and future buyers.

Councilmember Hatfield noted she welcomes the variety in homes, but she did notice the setbacks.

Councilmember Huang stated the varying setbacks can appear disjointed and some neighborhoods with smaller setbacks created a more urban feel. City Administrator Podhradsky explained the varying setbacks tend to reflect the affordability of the homes and the goals of the neighborhood.

Community Development Director Kabat added there are some safety requirements such as fire concerns that impact setbacks.

Paul Reiland, representative of Johnson Reiland Builders and Remodelers, offered to answer any questions.

Mayor Windschitl asked if the landmark sign would be one-sided. Mr. Reiland confirmed it would be one-sided. They are prepared to add a second sign.

Councilmember Grau asked how construction traffic will enter the neighborhood. Mr. Reiland explained they are a smaller builder and build in smaller chunks. They are looking to get their entitlements in place. They hope to do the construction of the roads by the end of the year, depending on the timing of entitlements.

Councilmember Grau noted there is a concern for construction traffic to go through Founder's Ridge. Also, the name doesn't make sense as it doesn't connect to the existing Ensconced Woods neighborhood. Mr. Reiland stated the homeowners will relate more to their address than the name of the neighborhood. The name of the neighborhood is purely for marketing.

Mr. Reiland added the side setbacks are important to them because most of the homes will be one-stories. They offered an alternative to Staff to connect the two Ensconced Woods neighborhoods, but it was denied due to steep slopes.

Councilmember Grau asked if there could be a barrier to prevent cars from cutting through construction. The road would need to be built first. Mr. Reiland predicted there would be a time while they still build homes while other developments are completed.

Mayor Windschitl agreed he has a concern with the Ensconced Woods name. It is a potential difficulty for public safety. He suggested the developer work with Staff to create a new name.

Councilmember Grau shared personal experiences of people referencing neighborhoods rather than specific street addresses.

Mr. Reiland stated there is a suggestion from their engineer to develop a neighborhood information sheet that buyers would be required to sign. A lot of land was given to the City in the first development, but the landscape has been a limiting factor. He has been working with the City to find a compromise.

Mayor Windschitl encouraged Mr. Reiland to continue working with Staff. Chaska is made up of several steep slopes, and they need to remain consistent. He asked if the ghost plats are being disclosed to potential buyers. Mr. Reiland confirmed the neighborhood is being marketed with that information.

Mayor Windschitl noted his overall support of the development.

Councilmember Huang suggested the ghost plat be included as a handout for potential buyers to prevent future conflict. Mr. Reiland stated they will work on their disclosures.

Councilmember Huang asked what the projected timeline is for construction to begin. Mr. Reiland stated the developer hopes to get all of their entitlements in 2024 and begin construction of roads. However, it depends on the progress of the entitlement process. They are both the developer and the builder for the site.

Motion by Councilmember Huang, second by Councilmember Grau to adopt the Resolution No. 2014-18, approving the concept plan for Ensconced Woods 2nd Addition, a 14-lot subdivision, at 3675 Big Woods Blvd. (PC #2024-01).
Motion carried.

8.B. Adopt Ordinance Nos. 1042 and 1043 Approving the Zoning Ordinance Amendments to Non-Conforming Structures & Uses, Non-Conforming Lots of Record, and Variances/City of Chaska/PC #2024-03

City Administrator Podhradsky introduced the item to the Council and City Planner Elizabeth Hanson provided a presentation on it. Community Development Director Kabat also provided information.

Councilmember Huang pointed out it is a good idea to seek out additional input.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Ordinance No. 1042 approving the Zoning Ordinance Amendment that would modify Section 15.04.050 (Non-Conforming Structures & Uses) and Section 15.04.060 (Non-Conforming Lots of Record).
Motion carried.

8.B.i Ordinance 1043

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt Ordinance No. 1043 approving the Zoning Ordinance Amendment that would modify Section 15.08.080 (Variances).

Motion carried.

8.C. Adopt Resolution 2024-16 Public Improvement Hearing NE Collector in SW Area

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

Mayor Windschitl opened the public hearing at 8:33 p.m.

No one wished to address the Council.

Mayor Windschitl closed the public hearing at 8:34 p.m.

Motion by Councilmember Hatfield, second by Councilmember Huang to adopt Resolution No. 2024-16, Ordering the Improvements for the NE Collector in SW Chaska – Savanna Way Phase 2 and Authorizing the preparation of Construction Documents.

Motion carried.

8.D. Adopt Resolution 2024-14 Accepting the Feasibility Report for the 2024 Street & Utility Reconstruction Improvements, Calling for a Public Improvement Hearing, and Authorizing Preparation of Construction Documents

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

Councilmember Huang noted the project looks great.

Councilmember Grau added the communication about the project speaks for itself.

Councilmember Hatfield asked which trees will be leaving and which will be staying, referring to Action Item 8.E. Adopt Resolution 2024-15 to Approve Plans & Specs and Authorize Bidding for Minnesota River Bluffs Regional Trail – Chaska Connection. City Engineer Matt Clark explained the plans are meant to be general, and the City controls what is in the easement. A construction group is going out this week to determine which trees will be impacted. From there, residents will be notified.

Motion by Councilmember Hatfield, second by Councilmember Huang to adopt Resolution No. 2024-14, accepting the feasibility report for the 2024 Street & Utility Reconstruction Improvements, Calling for a Public Improvement Hearing, and Authorizing Preparation of Construction Documents.

8.E. Adopt Resolution 2024-15 to Approve Plans & Specs and Authorize Bidding for Minnesota River Bluffs Regional Trail – Chaska Connection

Mayor Windschitl pointed out information regarding Action Item 8.E. Adopt Resolution 2024-15 to Approve Plans & Specs and Authorize Bidding for Minnesota River Bluffs Regional Trail – Chaska Connection was covered in the presentation for Action Item 8.D. Adopt Resolution 2024-14 Accepting the Feasibility Report for the 2024 Street & Utility Reconstruction Improvements,

Calling for a Public Improvement Hearing, and Authorizing Preparation of Construction Documents

Motion by Councilmember Grau, second by Councilmember Huang to adopt Resolution No. 2024-15 to approve plans and specifications and authorize city staff to solicit bids for the Minnesota River Bluffs Regional Trail – Chaska Connection.
Motion carried.

8.F. Letter Regarding the Missing Middle Housing Bill HF 4009 and SF 3964

City Administrator Podhradsky introduced the item to the Council and Community Development Director Nate Kabat provided a presentation on it.

Mayor Windschitl noted his support for affordable housing, but Chaska would have to give up a lot if the Bills were to pass.

Councilmember Huang provided an example of when the City's process benefits all involved parties. He asked if the Bill has the potential to override the City's Comprehensive Plan. Community Development Director Kabat explained the Bill is rather ambiguous. Pieces of the proposal are not aligned with existing legislation. The Bill reduces the City's ability to limit developments.

Councilmember Huang pointed out the proposed Bill would override the zoning downtown for historic buildings. Mayor Windschitl added it would also impact the anti-monotony rules.

Mayor Windschitl asked if the Bills could become an Omnibus Bill. Community Development Director Kabat stated one Bill is before the House while the other is before the Senate.

City Administrator Podhradsky noted there is bipartisan support for the Bills.

Mayor Windschitl asked for an explanation of the name of the Bills. City Administrator Podhradsky explained new homes are being built as expensive single-family homes or affordable housing. The Bill would incentivize builders to create housing options in between the two extremes.

Councilmember Huang noted the current system leaves the power within the local constituency while the proposed Bills makes determinations at the State level.

Motion by Councilmember Huang, second by Councilmember Hatfield authorizing the Mayor to sign a letter in opposition to the Missing Middle Housing bill HF 4009 and SF 3964 and submit to Senator Coleman, Representative Steve Nash, and Representative Lucy Rehm.
Motion carried.

9. Bills

9.A. Accounts Payable Claims Roster 26-2-2024

The Council requested further information about bills on pages 25.

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, 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 2-26-2024

10.B 4th-Qtr-2023 Investment Report dated February 26, 2024

10.C Chaska High School – Hawk Pride Recap

Councilmember Hatfield:

- Celebrated the Library's 101st Birthday.
- Noted the new Chaska history book is out and is available at the History Center. She encouraged community members to visit the History Center.
- Pointed out the Community Center Carnival is March 1, 2024.
- Added March 1, 2024 is National Employee Appreciation Day. She noted her appreciation of City Staff.
- Stated Cooper's will be closing soon. She recommended folks visit before its closing. She thanked the business owners for their contribution to the community.

Councilmember Huang:

- Congratulated Staff who recently won awards.
- Noted April 12, 2024 is the Chaska Badge, a fundraiser for Chaska High School.
- Pointed out May 4, 2024 is Christmas in May.
- Stated the opening of the revitalized park The Loop will be May 5, 2024.
- Noted Taste of Chaska is May 8, 2024.
- Added River City Days is July 26, 2024.
- Stated the memorial for the Burnsville officers will be March 28, 2024 at Grace Church in Eden Prairie.
- Recognized three National Merit finalists, three Knowledge Bowl teams advancing to post-season play, 48 students are advancing to State competitions, the seventh-place win at the Science Bowl State, and the successful wrestling team at Chaska High School.
- Congratulated to Team Guentzel for winning the International Spiel at St. Paul Curling Club.

Councilmember Grau:

- Recognized the Chaska Tech Center for its opening.
- Recognized the progress of Costco's build.
- Asked for an update on the West Creek development. City Administrator Podhradsky provided an update on its progression.
- Visited City-owned facilities with public branding in West Des Moines. He stated it was well-done and the branding didn't overshadow the City's identity.

Mayor Windschitl:

- Pointed out a City representative has been in touch with the Elmstrand family and is looking forward to an opportunity to support them.
- Received a call from a community member with concerns about the new pay bill box. Assistant City Administrator Elise Durbin agreed it is difficult to insert anything into the box, though it is more secure and keeps the bills dry. Staff will continue to look at alternative options.
- Noted there is a lot of graffiti on the old conference center near the new Costco. City Administrator Podhradsky stated Staff would reach out to the property owner.
- Added the Dairy Queen is open again.
- Stated he has received concerns regarding Cooper's closing. He thanked the owners for their impact on the community. The City hopes to get a new grocery store in its place.
- Noted there is a City Staff and Council retreat coming up.

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Grau to adjourn the meeting at 10:08 p.m.

Motion carried.