

- 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.

6. Minutes

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.

7. Consent Agenda

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.