

- MINUTES -
CHASKA CITY COUNCIL
FEBRUARY 23, 2009

1. Call to Order

The meeting was called to order by Mayor Van Eyll at 7:02 p.m.

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Schulz, Boe, Ford, Businaro, and Mayor Van Eyll.
Absent: None.

Also Present: Matt Podhradsky, City Administrator; Bill Monk, City Engineer; Kevin Ringwald, Planning Director; Luke Melchert, City Attorney; and Bart Fischer, Assistant Administrator.

4. Adopt the Agenda

Motion by Councilmember Businaro, second by Councilmember Schulz to adopt the agenda as presented, with the City Administrator moving Consent Item 7f to Regular Item 8a.
Motion carried.

5. Visitor

SAFER Presentation by Mario Cortolezzis

Mr. Cortolezzis gave a presentation and handouts on the SAFER organization that deals with children and adults with disabilities.

SW Transit State of the Agency – Dave Jacobsen

Chief Operating Officer, Dave Jacobsen updated the Council on the State of the Agency and answered questions from the Mayor and Councilmember Businaro.

6. Minutes

Motion by Councilmember Ford, second by Councilmember Businaro to approve the minutes of the February 2, 2009 City Council meeting, with the addition to the minutes of Councilmember Ford being appointed to the Community Ed Advisory Board at the 02-02-09 Council meeting.
Motion carried.

7. Consent Agenda

Motion by Councilmember Boe, second by Councilmember Schulz to approve the Consent Agenda Items a through f:

Approve minutes of the February 11, 2009 Planning Commission

Approve minutes of the February 9, 2009 Park and Rec Board

Approve minutes of the February 2, 2009 EDA

Approve Tobacco License No. 09-04 in the name of Gas Depot

Motion to approve Tobacco License No. 09-04 in the name of Gas Depot, valid February 24, 2009 through December 31, 2009.

Adopt Resolution No. 09-10 Approving Transient Permit for Stanton's Farmers Market

Motion to adopt Resolution No. 09-10 approving Transient Permit TRA. 09-01 for Sheila Stanton of Stanton's Farmers Market for the term of June through October 2009 and effective upon publication in the Chaska Herald, Thursday, March 5, 2009.

- a. ~~Approve Transfer of Sewer Availability Charge (SAC) Credits for Michael's Foods~~
- b. Adopt Resolution No. 09-12 Approving Solicitor's Permit for Steven Tenney of Fresh Season's Market
Motion to adopt Resolution No. 09-12 approving Solicitor's Permit No. 09-03 for Steven W. Tenney of Fresh Season's Market for the year 2009 and effective upon publication in the Chaska Herald, Thursday, March 5, 2009.

Motion carried.

8. Adopt Resolution No. 09-11, approving the Preliminary Plat and Preliminary Site/Building Plans for Hazeltine Plaza and adopt Ordinance No. 830, approving the rezoning of Hazeltine Plaza from PMD-1 (Planned Multi-Use District No. 1) to PMD-18 (Planned Multi-Use District No. 18)

The City Administrator introduced the item to the Council.

The Planning Director presented the item to the Council.

Gary Solomonson, of The Goodman Group, addressed the Council and answered questions.

Motion by Councilmember Boe, second by Councilmember Ford to adopt Resolution #09-11, approving the Preliminary Plat and the Preliminary Site/Building Plans for the Legends at Hazeltine, subject to the stipulations and conditions listed in said resolution.

Motion carried.

Motion by Councilmember Boe, second by Councilmember Ford to adopt Ordinance #830, approving the rezoning of the Legends at Hazeltine from PMD-1 (Planned Multi-Use District No. 1) to PMD-18 (Planned Multi-Use District No. 18).

Motion carried.

8a. Approve Transfer of Sewer Availability Charge (SAC) Credits for Michael's Foods

The City administrator presented the item to the Council.

Tom Jakila, of Michael's Food, explained the new processing methods that will be used at the Chaska plant.

Bruce Perkins, a nearby resident of the manufacturing plant, inquired about odors from the facility and air quality, placement of waste receptacles, use of the doors on the west side of the building, and hours of shipping and receiving.

Randy Bush, of 3200 McKnight Road, inquired about water issues involving the plant and whether area resident's wells would be affected by draw down from the plant's water usage.

The City Engineer responded to the inquiries of the residents and Council.

Larry Spargo, a resident of McKnight Road, also addressed the Council with concerns.

Motion by Councilmember Businaor, second by Councilmember Boe to authorize City Administrator Matthew Podhradsky to sign the *SAC Credit Transfer-Future-Site Local Government Form* and submit the form to the Met Council for the acceptance of a 1,400 SAC Credits transfer from the City of South St. Paul for the Michael's Foods project.
Motion carried.

9. Approve the Closure of McKnight Road Bridge due to Public Safety Issues

The City Administrator introduced the item to the Council.

The City Engineer presented the item to the Council.

Dave Marek of McKnight Circle addressed the Council with funding and timing questions about the issue.

Kara McCauley of 82nd Street and McKnight Road commented on the lack of gravel on the road.

Larry Spargo, of McKnight Road, expressed concerns over public safety issues.

Randy Bush, of 3200 McKnight Road, inquired about the weight of vehicles using the bridge and access to the parking area of the trail system.

Motion by Councilmember Businaro, second by Councilmember Schula to declare a public safety emergency and approve the closure of the McKnight Road bridge over the Twin Cities and Western Railroad and to further direct Staff to pursue replacement options.
Motion carried.

10. Bills

Motion by Councilmember Boe, second by Councilmember Ford to approve the bills as presented, after receiving explanations regarding payment to the Chamber and some refunds. Roll call was taken. Voting aye: Councilmembers Schulz, Boe, Ford, Businaro, and Mayor Van Eyll. Voting nay: None.
Motion carried.

11. Other Business

- ❖ Councilmember Schulz commented on the recent Herald Letter to the Editor in regard to leash laws and cleaning up after pets in the area. The Administrator went over the City Ordinance in regard to this matter. Councilmember Schulz also introduced Kylee Anderson, a student in a mentorship program.
- ❖ Councilmember Boe requested a copy of the Ordinance regarding cleaning up after pets. He also offered his congratulations to the Chaska High Quiz Bowl Team on their State win. The City Administrator answered Councilmember Boe's questions regarding maintenance of boulevard trees and the status of the City website.

- ❖ Councilmember Ford commented on the recent League of Minnesota Cities training and informed members of the Chaska Rotary's request for nominees for the Klein award.
- ❖ Councilmember Businaro had questions about maintenance of gravel roads, the schedule for the Comprehensive Plan, and open meeting laws regarding the upcoming Council-Department Head Retreat and Council-Planning Commission meeting on 02-25-09. The City Administrator addressed his questions.
- ❖ The Mayor reminded Councilmembers of the upcoming fundraiser at Guardian Angels Church.

12. Adjourn

Motion by Councilmember Businaro, second by Councilmember Ford to adjourn the meeting at 9:40 p.m.

Motion carried.