

**- MINUTES -**  
**CHASKA CITY COUNCIL**  
**APRIL 18, 2011**

1. Call to Order

The meeting was called to order by Mayor Windschitl at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Schulz, Boe, Ford, Millard, and Mayor Windschitl. Absent: None.

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

4. Adopt the Agenda

Motion by Councilmember Boe, second by Councilmember Ford to adopt the agenda as presented.

Motion carried.

5. Visitor

Carver County Library System Presentation by Janet Karius and Melissa Brechon.

Mark Kalscheuer, a resident of Tuscan Hills, and former Park and Rec Board member, presented a few areas where trail links might be nice on the City's trail system. Staff advised that many of these trails are currently being worked on.

6. Minutes

Motion by Councilmember Ford, second by Councilmember Schulz to approve the minutes of the March 21, 2011 City Council meeting.

Motion carried.

7. Consent Agenda

Motion by Councilmember Boe, second by Councilmember Millard to approve the Consent Agenda Items a through i:

- a. Approve Minutes of the April 13, 2011 Planning Commission Meeting
- b. Approve Minutes of the April 11, 2011 Park and Rec Board Meeting
- c. Approve Minutes of the March 21, 2011 EDA Meeting
- d. Adopt Resolution No. 11-24 Approving Solicitor Permits for Garbage Man  
Motion to adopt Resolution No. 11-22 approving Solicitor Permit Nos. SOL.11-47 and SOL.11-48 for Ronald James Schulz and Curt Thomas of Garbage Man located at 13895 Industrial Park Boulevard, Suite 100, Plymouth, Mn. 55441, for the period April 19, 2011 through December 31, 2011.
- e. Adopt Resolution No. 11-23 Approving Transient Permit for Stanton's Farmers Market  
Motion to adopt Resolution No. 11-23 approving Transient Permit TRA. 11-01 for Sheila Stanton of Stanton's Farmers Market for the term of June 29 through October 26, 2011 and effective upon publication in the Chaska Herald.

- f. Adopt Resolution No. 11-22 Relating to Financing of Certain Proposed Projects and Establishing Compliance with Reimbursement Bond Regulations under the Internal Revenue Code  
Motion to adopt Resolution No. 11-22 relating to financing certain proposed projects and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.
- g. Adopt Resolution No. 11-25 Approving Peddler's Permit No. 11-03 for Israel Mendoza of Cari's Ice Cream  
Motion to adopt Resolution No. 11-25 approving Peddler Permit No. PP. 11-03 in the name of Israel Mendoza of Cari's Ice Cream, valid through December 31, 2011
- h. Adopt Resolution No. 11-27 Approving Solicitor Permits for TruGreen Lawn Care  
Motion to adopt Resolution No. 11-27 approving Solicitor Permit Nos. SOL.11-49 through SOL.11-52 for Trent Kieckhafer, Chad Bateson, Allan Brown, and Matt Borman respectively, for the business TruGreen of 6010 Culligan Way, Minnetonka, Mn. 55345, for the period April 19, 2011 through December 31, 2011.
- i. Adopt Resolution No. 11-29 Approving a Lot Consolidation for Super Radiator Coils  
Motion to adopt Resolution No. 11-29, approving the Lot Consolidation of two lots owned by Super Radiator Coils at 104 Peavey Road, subject to the conditions listed in said resolution.

Motion carried.

8. Public Improvement Hearing: Adopt Resolution No. 11-26 Ordering the 2011 Street Reconstruction Project.

The City Administrator introduced the item.

The City Engineer, Bill Monk, presented the item to the Council.

Eric Lemke, from Bonestroo, was in attendance.

Councilmember Ford asked if the proposed assessment could increase. The City Engineer did not foresee that it would increase.

Councilmember Millard and Mayor Windschitl both inquired about the utilities and whether there would be anything out of the ordinary to increase the assessment. The City Engineer said there was nothing out of the ordinary. He also stated the assessment would be set up over 15 years at 1% over the rate of City bonds.

The Public Hearing was opened at 8:02 pm.

Patrick Poppler of 518 West Third Street appeared before the Council to state that he is fearful his house will lose value if the project goes through with the road connections. He would like to keep the street a dead end.

The Council responded that proper signage for destinations such as Athletic Park, would help with through traffic.

The City Engineer stated an appraisal would be completed in regard to the assessments and project.

Tara Edwards of 116 Spruce Street appeared before the Council to state that the assessments may be difficult to afford in these tough economic times. She asked that the process remain transparent and respectful.

Councilmember Schulz inquired whether any of the homes had sump pumps.

The Engineer stated that four houses have them.

The Public Hearing was closed at 8:19 pm.

Motion by Councilmember Boe, second by Councilmember Millard to Adopt Resolution No. 11-26 Ordering the 2011 Street Reconstruction Project.  
Motion carried.

9. Adopt Ordinance No. 848, Approving a Zoning Ordinance Amendment to Planned Multi-Use District No. 2 (PMD-2) and Resolution No. 11-28, Approving the Conditional Use Permit for Lodging at 1057 and 1059 Stoughton Avenue/Jason Palmby of Topaz Investments/PC No. 11-04

The City Administrator introduced the item to the Council.

The City Planner, Melissa Duchinsky, presented the staff report to the Council, with the recommendations from the Heritage Preservation and Planning Commissions.

Mayor Windschitl asked if the building(s) are on the historic register. The Planner said they are on the local register, but not the national. The Mayor also asked about the total number of staff employed at the facility, the patient gender, and the available parking. He was told by the City Planner that there will be eight staff members, all clients will be male, and there is more than enough parking.

Councilmember Millard asked whether there were any concerns about the project from the residents and homeowners in the area. The City Planner said a few residents had attended the Planning meeting to have their concerns regarding safety and security assuaged.

The applicant, Jason Palmby, appeared before the Council, and introduced his associates, Ben Palmby and Jason Vanderscoff. The three of them gave a presentation on the Five Star Recovery Program and its operations.

Councilmember Ford asked if most clients at the facility were referred by the court system and was told that they are.

Mayor Windschitl asked about the fence requirements. Jason Palmby said the fence is only required around the mechanicals.

Councilmember Boe noted that the Planning Commission had passed their recommendations on a 5-3 vote. He asked if Chaska was beginning to become a regional treatment center. Mayor Windschitl expressed some of the same concerns.

Jason Vanderscoff stated that this is a difficult business, requiring licensing etc. He said the number one issue affecting those seeking treatment is employment, which will only help the community. If Chaska is becoming a regional treatment center, that could be a positive thing.

Councilmember Ford compared treatment centers to nursing home facilities in that they both require support mechanisms, such as the support of the community.

Councilmember Boe asked if the legislative cuts will affect Five Star Recovery. Jason Vanderscoff said they have prepared for the cuts and they will not be affected.

Councilmember Millard asked where other individuals go who cannot be accommodated by Five Star Treatment. Jason Palmby advised him that there are other facilities throughout the State.

Councilmember Ford inquired whether some of the patients have mental health issues, and was told that some do.

Councilmember Ford and Schulz gave their verbal support of the project.

Motion by Councilmember Ford, second by Councilmember Schulz to adopt Ordinance No. 848, approving a Zoning Ordinance Amendment to Planned Multi-Use District No. 2 (PMD-2), adding "lodging" as a Conditional Use in said zone district.  
Motion carried.

Motion by Councilmember Ford, second by Councilmember Schulz to adopt Resolution No. 11-28, approving the Conditional Use Permit for lodging at 1057 and 1059 Stoughton Avenue, subject to the stipulations and conditions listed in said resolution.  
Motion carried.

#### 10. Bills

Motion by Councilmember Boe, second by Councilmember Schulz to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Schulz, Boe, Ford, Millard, and Mayor Windschitl. Voting nay: None  
Motion carried.

#### 11. Other Business

Councilmember Boe:

- ❖ Pointed out that the magazine "Explore Minnesota" listed the wrong dates for River City Days in 2011.
- ❖ Noticed that there were no signs in the Clover Ridge neighborhood advising of the utility water flushing. The City Administrator said he would check into it.

- ❖ Inquired about other utility work in the Clover Ridge neighborhood. The City Administrator advised it was the work was for a fiber extension for United Health Group.
- ❖ Offered congratulations to the girls and boys basketball teams of St. John's School on their trophies from the National basketball tournament in Valparaiso, Indiana.

Councilmember Ford:

- ❖ Inquired about unallocated funds in the financial reports and was told by the City Administrator they are for contingency and unforeseen expenses.
- ❖ Asked about the protocol for the Conditional Use Permit at the Peacock Inn and was advised by the Administrator a CUP was needed to increase the number of residents allowed to stay on the premises.
- ❖ Advised of the Fifth Annual Teacher of the Year Award and that there are 5 finalists. The award will be given out at the Oak Ridge Center on May 1<sup>st</sup>. A reception will be held at April 27<sup>th</sup> from 3:30 to 6:00 pm at the High School to meet and congratulate the finalists.

Councilmember Millard:

- ❖ Asked if there is a way to increase the bandwidth of Chaska.net. The City Administrator said he would consult with the IS Department about the issue.

City Administrator Podhradsky:

- ❖ Reminded the Council of the Council/Department Heard Retreat at Oak Ridge on Thursday, April 21<sup>st</sup> from 8: am to 5:00 pm.

Mayor Windschitl:

- ❖ Inquired about the silt fence along Co Rd 61 behind the Crystal Place townhomes. The City Engineer said the fence is privately owned and he would contact the association about the matter.
- ❖ He also inquired about a similar fence near Points West and Engler Boulevard. The Engineer said he would check on that one too.

12. Adjourn

Motion by Councilmember Schulz, second by Councilmember Ford to adjourn the meeting at 9:31 p.m.

Motion carried.

Work Session on Strategic Planning to Follow the EDA meeting.