

**- MINUTES -
CHASKA CITY COUNCIL
February 5, 2018**

DRAFT

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Boe, Geisler, Schulz, and Mayor Windschitl.

Councilmember absent: Councilmember Rohe.

Also Present: Matt Podhradsky, City Administrator; Nate Kabat, Assistant City Administrator; Kevin Ringwald, Community Development Director; Liz Hanson, City Planner; Matt Clark, City Engineer; and, Luke Melchert, City Attorney.

4. Adopt the Agenda

Motion by Councilmember Boe, second by Councilmember Geisler, to adopt the agenda.
Motion carried.

5. Visitor Presentation

A. Senator Scott Jensen

Senator Dr. Scott Jensen thanked the City for allowing him to serve and stated he agrees with protecting local authority. He is trying to help in the area of health care and encouraged the City Council to reach out to him. He noted he has a personal interest near Engler and Highway 212 and thanked the Council for their quick decision making and support.

Mayor Windschitl inquired if a group has contacted him about the opioid crisis.

Senator Jensen responded there are many initiatives and they have talked about the opioid crisis. One initiative includes taxing prescriptions because they need to get some money from the drug companies to help fund the reparative process that needs to be done. He believes physicians may have played a broader role than he initially realized. They should have written smaller prescriptions and been more helpful in helping patients get rid of leftover medication. With his bill, he wants to stop the practice of physicians taking over an opioid prescription that was started by another physician without the patient being assessed within seven days.

Mayor Windschitl thanked Senator Jensen for his work on this issue.

City Administrator Podhradsky also thanked Senator Jensen for his work last year on obtaining the funding for the 212/44 interchange.

B. Recognition of Commission Members Whose Terms are Up or Not Seeking Re-Appointment

- Jean Personius – Planning Commission
- Tom Skoogman – Park and Rec Board
- Tanya Kim and Judy Grosch – Human Rights Commission

Mayor Windschitl recognized Jean Personius, Tom Skoogman and Judy Grosch for their service with the City and presented them with a certificate.

Assistant City Administrator Kabat noted Tanya Kim appreciated the invitation to the City Council meeting but was unable to make it due to a work commitment.

C. American Legion Post/Salute Across America – Steve NaSalle & Victoria Bont

Steve NaSalle, Chaska American Legion Post 57 Commander, explained the Troop Banner Project is a program that salutes those who are currently serving or have served in the United States Military. It makes the actual faces and history of the men and women who have fought visible to the public. The banners would be present in the City's parks from Memorial Day to Labor Day and can be tracked by anyone through the program's website. In the future, these banners could also represent firemen and police officers. If approved by the City Council, Minnesota would be the 10th State and Chaska would be the first City to incorporate this program. This program has a web-based app and may bring more people to the parks.

Victoria Bont, Project Supporter, reported she first saw this project displayed in Pennsylvania when she attended a family reunion. She provided an overview on the history on how the project began and noted 22 miles of Route 88 in Pennsylvania now have these banners displayed in the summertime. These banners provide an actual face of someone who has fought for our Country's freedom and has a big impact on young people. She noted the size of the banners can be customized to fit the existing poles in Veteran's Park, Town Square, and Fireman's Park, and more information about the program can be found at www.troopbanners.com.

Mayor Windschitl inquired who would be included on the flags.

Ms. Bont responded it would initially include Chaska veterans both living and deceased.

City Administrator Podhradsky stated they would like to put together a proposal to present to the Council for action at a later date.

Ms. Bont noted the City of Pittsburgh debated whether to allow this program because they did not want other organizations to request to use the poles. However, they ultimately decided that because the military is a branch of the government, they would allow the program to take place.

Mayor Windschitl inquired what the cost is to the City.

Mr. NaSalle responded it will require City staff to put up the banners in the parks but will not cost the City anything else. The family of the veteran pays for the banner and some of the money and donations collected will go back to the City.

Ms. Bont explained it will cost the family \$100.00 which includes a banner in the park, a banner for the family, and other incidental costs. She also noted there was some additional information included in the pack that shows how other cities have handled the legal issues with this project.

Mayor Windschitl stated he thinks it is a great project and the discussion will be around the legality of hanging the banner on the poles.

City Administrator Podhradsky explained they will need to define a policy for hanging banners.

Councilmember Schulz inquired about the app associated with this project, how it locates specific veterans, and why the banners are only hung from Memorial Day to Labor Day.

Mr. NaSalle explained the app shows veterans who are in the system and where their banner is located. This list online is alphabetical by last name and provides additional details such as their rank and home town. Also, they store the banners during the off season.

Ms. Bont explained the timeframe for the banners to be hung can be changed and their proposal reflects what most places have done. The banners are very sturdy, can be cleaned with a baby wipe, have had little fading, and some cities move them around from sunny to shady spots to help preserve them. If approved by the Council and they can get 100 veterans to participate by the end of March, they should be able to receive the banners by Memorial Day.

Councilmember Geisler noted this would be great tie-in with the City's Veteran's Park being completed this year.

D. Beyond the Yellow Ribbon – Mark Muhlenkort

No one was in attendance to present on this item.

6. Minutes

Motion by Councilmember Boe, second by Councilmember Schulz to approve the minutes of the January 8, 2018 City Council meeting.

Motion carried.

7. Consent Agenda

Motion by Councilmember Schulz, second by Councilmember Geisler to approve Consent Agenda items A through E:

- A. Adopt Resolution No. 2018-10 Accepting Gifts to the City of Chaska during the period October 1, 2017 through December 31, 2017
Motion to adopt Resolution No. 2018-10 Acknowledging and Accepting Gifts to the City of Chaska received during the period of October 1, 2017 through December 31, 2017
- B. Adopt Resolution No. 2018-12 Approving Solicitor Permit for Samuel Parslow from Comcast/Xfinity
Motion to adopt Resolution No. 2018-12 Approving Solicitor Permit for Samuel Parslow of Comcast/Xfinity
- C. Adopt Resolution No. 2018-14 Approving Solicitor Permit for Joewade Sajady and Johnny Lee III from Elemental Core Outreach, LLC
Motion to adopt Resolution 2018-14 Approving Solicitor Permit for Elemental Core Outreach

- D. Approve Trail Easement Agreement for Public Trail over Lake Jonathan Flats site (Lot 1, Block 1, Jonathan Square 3rd Addition)
Motion to approve the Trail Easement Agreement for Public Trail over Lake Jonathan Flats site (Lot 1, Block 1, Jonathan Square 3rd Addition)
- E. Adopt Resolution No. 2018-15 Approving Joint Powers Agreement between the City of Chaska and Carver County for Construction on TH 41, CSAH 14 and Hundertmark Road
Motion to adopt Resolution No. 2018-15 Approving Joint Powers Agreement between Carver County and the City of Chaska for Construction on TH 41, CSAH 14, and Hundertmark Road

Motion carried.

8. Public Hearing – Wellhead Protection Part 2: Adopt Resolution No. 2018-11, Authorizing the submittal of Chaska’s Wellhead Protection Plan for final review and approval to the Minnesota Department of Health

City Administrator Podhradsky introduced the item to the Council.

Water and Sewer Director Haefner introduced Mark Janovec from Stantec.

Mr. Janovec presented the item to the Council.

City Administrator Podhradsky pointed out most of the City’s wells are around the Municipal Service building with another one behind Cub Foods by Hazeltine.

Councilmember Boe inquired how they persuade someone to abandon their well.

Mr. Janovec responded if someone is using their well, they are not required to abandon it. If it has not been used within a year, it is not considered active.

Water and Sewer Director Haefner explained they City has an ordinance that prohibits new drilling of wells. They do allow an existing well to be used until it fails. The County and State have programs to help residents with the cost of sealing wells.

Councilmember Geisler inquired how far back have they obtained information on wells that have been drilled.

Water and Sewer Director Haefner noted there is a well index map that shows most of the reported wells.

Mr. Janovec stated wells drilled before the mid-1970s may not be in the database. They also attempt to contact known well-owners to provide education on how they can manage them, even if they do not plan to abandon them.

Mayor Windschitl opened the public hearing at 7:47 pm.

Mayor Windschitl closed the public hearing at 7:48 pm.

Motion by Councilmember Boe, second by Councilmember Geisler, to adopt Resolution No. 2018-11 Authorizing the Submittal of Wellhead Protection Plan.
Motion carried.

9. Adopt Resolution No. 2018-09, Approving the Concept Plan for ALDI, Chipotle, Starbucks in Hazeltine Plaza/ISG, Inc./PC #2018-01

City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

In response to Mayor Windschitl, she explained this area is similar to the retail component that was proposed in 2005, but the layout and orientation of the sites are different.

Mayor Windschitl inquired if a crosswalk would be included from Kohls to Starbucks.

City Planner Hanson responded that area currently has existing pedestrian connections that will connect to the new site.

Mayor Windschitl inquired if Chipotle will be required to include similar design elements since it is set apart from this area.

City Planner Hanson responded they want them to have their own branding, but the intent is to show some consistency.

Community Development Director Ringwald noted the Bank Vista building that was recently built used the same design materials from the existing developed area, but also has its own identity.

Councilmember Boe commented he is happy to see the oak trees were addressed by the Planning Commission.

Mayor Windschitl inquired if there is a concern with having another ALDI in the area.

Ryan Anderson, Civil Engineer representing the development, commented they feel confident with the design they have presented.

City Administrator Podhradsky stated ALDI has a smaller footprint and draws from a smaller market area than a bigger store would. They also like to be close to bigger stores to pick up some of the secondary market.

Community Development Director Ringwald suggested they have ALDI provide additional information during the preliminary approval stage. In the recent retail and restaurant study done by the City, they were performing below what would be expected for a community the size of Chaska. It showed that people are going outside of Chaska to shop and there is a market for this type of retail. They are trying to pull some of this money back into the community as well as providing more choices.

City Administrator Podhradsky stated there is a different market where the HyVee store is going in than where this site is located.

Mayor Windschitl referred to comments in the Planning Commission minutes regarding the drive-through for Starbucks. He stated he is sure the applicant knows what they can handle, and they do not want a long line or traffic blocking the area.

Community Development Director Ringwald noted they requested the applicant talk more about this during the preliminary approval stage.

Councilmember Schulz inquired if it would be a better use to have parking in between the two buildings instead of all off to the west. The area where the semis back into for ALDI is also on the west side and suggested they look at additional screening in that area.

Community Development Director Ringwald stated they did address additional screening in the loading area on the west side and Kohls has some sight requirements that need to be considered.

Councilmember Schulz inquired about the northwest corner.

Community Development Director Ringwald stated the trash is located in that area and the Planning Commission asked they look at it and make sure it is placed in an appropriate spot.

Councilmember Geisler inquired if they have looked at shielding the trash containers from sight.

Community Development Director Ringwald commented this will be looked at in more detail in the next phase of the planning process. The Planning Commission provided both general and specific conditions the developer needs to work on before the preliminary approval. They are hopeful these are all good uses for the community.

Mayor Windschitl suggested they move Chipotle to the west and turn it so the patio would be in the grass. The store would face out toward Hazeltine Boulevard.

Councilmember Geisler noted it would also move the drive-through away from the busier road.

Mr. Anderson commented they are open to suggestions for improving the concept. However, with the uniqueness of the retaining walls, the shape of the property, the restrictions with Kohls and the overall development, the proposed concept has been thoroughly thought out with multiple iterations to get to this proposed plan.

Councilmember Boe noted this is a concept plan and they should continue to move forward with it.

Motion by Councilmember Geisler, second by Councilmember Boe, to adopt Resolution No. 2018-09 Approving the Concept Plan for ALDI, Chipotle and Starbucks in Hazeltine Plaza/ISG, Inc./P.C. No. 18-01.

Motion carried.

10. Adopt Resolution No. 2018-13, Accepting the Feasibility Report for the 2018 Street Reconstruction Project and Scheduling the Public Improvement Hearing for March 5, 2018
City Administrator Podhradsky introduced the item to the Council.

City Engineer Clark presented the item to the Council.

Mayor Windschitl noted there does not seem to be a large area being worked on.

City Administrator Podhradsky stated they had originally considered going around Auburn Manor and St. Johns, but had been asked to not do both projects at once. One of the last places that needs to be done is Walnut Street and they are hesitant to do that street before Highway 41 is done due to the amount of traffic. Third and Fourth Street will not get done until they know more about the City Square West project.

City Engineer Clark noted a lot of this is driven by sewer. The way the system is set up, Oak Street is where the deep sewer line extends and going north of Third Street drives all the construction moving forward.

Mayor Windschitl stated it seems like it will be a nightmare when a two-block area around St. Johns will be tied up.

City Engineer Clark commented they will be trying to complete the work along Fourth Street when school is out and if they were to include the additional two blocks, it would not get done in time.

Councilmember Geisler inquired about the an area on the map highlighted in red.

City Engineer Clark responded that area is a gravel drive and is a hybrid between a driveway and an alley. They need to meet with the owners to better understand what needs to be accounted for. The area beyond that is the creek, which is still being discussed.

City Administrator Podhradsky highlighted another area that was considered. However, it includes a bridge they sought State dollars for it, but there was no money available.

Mayor Windschitl inquired if they considered a curb cut in front of the co-op school where the busses drop off kids on Fourth Street.

City Engineer Clark stated they would look into it. The school has requested they look at taking out the boulevard along that section because of the direction most of the busses come from. After the public improvement and public assessment hearings, they plan to have the project awarded in May. They will close Fourth Street on June 7 and reopen it before school begins again in the fall, with an estimated completion date for the overall project in late September. The estimated total project cost is \$2,156,325. A \$7,500 assessment is proposed for the residential properties and the property at the corner of Fourth and Beech will be credited for

their assessment. It had a previous assessment when the courthouse was upgraded and improvements were done to Beech Street.

City Administrator Podhradsky commented it can be a challenge to have 20 percent of the total cost assessed to finance through a 429 process. With this project, the assessments only provide eight percent and they will finance through a 429 process for just the street improvements. The utility improvements will be assessed separately with utility bonds they will sell for upgrades to Highway 41 and the Bavaria Downs project.

City Engineer Clark commented he will speak with Mr. Dickson regarding his assessment.

Councilmember Boe inquired when the improvements on Sixth Street will take place.

City Engineer Clark responded they plan to have it done in the next four years.

Motion by Councilmember Boe, second by Councilmember Schulz, to adopt Resolution No. 2018-13 Accepting the Feasibility Study for the 2018 Downtown Street/Utility Reconstruction Project. Motion carried.

Motion by Councilmember Schulz, second by Councilmember Geisler, to schedule a Public Improvement Hearing for the 2018 Downtown Street/Utility Reconstruction Project on March 5, 2018 at 7:00 pm in the City Council Chambers. Motion carried.

11. City Commission Appointments: Planning Commission, Human Rights, and Park and Rec Board

Mayor Windschitl reported they interviewed most of the appointments prior to the meeting. He thanked everyone who has stepped forward to serve in this capacity.

Human Rights Commission - Four Positions Open

Sara Carlson, Judy Dunbar, Celi Haga, Lisa White, Michael Flaherty-Wilcox (2nd Choice)

Planning Commission – Four Positions Open

Mike Huang (Incumbent) and Charles Kelley (Incumbent, still needs to be interviewed)

Park Board – Four to Five Positions Open

David Downs (Incumbent), Josh Ives (Incumbent), David Roan (Incumbent), Jason Branch, and Michael Flaherty-Wilcox (1st Choice)

Motion by Councilmember Boe, second by Councilmember Geisler, to appoint Celi Haga and Judy Dunbar as regular members, and Sarah Carlson and Lisa White as alternate members to the Human Rights Commission for the term February 5, 2018 to December 31, 2020. Motion carried.

Motion by Councilmember Schulz, second by Councilmember Boe, to appoint David Downs, Josh Ives, David Roan, and Jason Branch as regular members, with Michael Flaherty-Wilcox as an alternate member to the Park Board for the term February 5, 2018 to December 31, 2020.
Motion carried.

Motion by Councilmember Geisler, second by Councilmember Boe, to appoint Mike Huang to the Planning Commission for the term February 5, 2018 to December 31, 2020.

Mayor Windschitl noted they need to interview Charles Kelley before appointing him.

Community Development Director Ringwald stated if Mr. Kelley is reappointed, there will still be two alternate seats open on the Planning Commission.

Councilmember Schulz suggested they reach out to previous Planning Commission applicants from the past that were not selected due to a full Commission.

Mayor Windschitl encouraged residents to contact the City if they are interested in serving in this way.

Motion carried.

12. Bills

Motion was made by Councilmember Boe, second by Councilmember Schulz to approve the bills. Roll call was taken. Voting aye: Councilmembers Geisler, Boe, Schulz, and Mayor Windschitl. Voting nay: None

13. Other Business

A. City Administrator's Biweekly Report – Received

i. 2017 4th Quarter Investment Report

B. Draft Minutes of the January 10, 2018 Planning Commission

Councilmember Boe

- Announced the Ice Fishing Contest will take place on Saturday, February 10 from 1:00 to 3:00 pm. There is plenty of ice and there will also be indoor activities.
- Commented the Chaska Curling Center was booked with some National Events this past weekend. City Administrator Podhradsky stated the party planners for Microsoft projected the company name across the top of the Event Center.

City Administrator Podhradsky

- Announced the Employee Recognition Years of Service will be on Wednesday morning at 7:30 am at the Event Center.
- Announced a Transportation Summit held by Southwest Transit will take place on February 16 at 7:30 am at the Event Center.
- Noted staff will be having emergency management training February 27 and invited the Council to attend.

- Announced the Urban Land Institute will provide a workshop on February 28 from 6:30 pm to 8:30 pm at The Lodge. They will look at the City's demographics and provide suggestions on how to achieve its goals. This event is open to the Planning Commission, City Council, and City staff for discussion, and the public can be present to listen.
- Announced the Chaska Chamber will hold a legislative breakfast on February 23 at the County Inn in Chanhassen. Assistant City Administrator Kabat requested the Council let him know if they would like to attend and he will register them.

City Engineer Clark

- Commented they plan to activate HAWK pedestrian system on Highway 61 on Thursday, February 15. A manufacturing issue caused the delay. City Administrator Podhradsky noted they are working on getting an informational video out on how to use the system.

Mayor Windschitl

- Commented the first City Square West Task Force meeting was held.
- Noted he has received two anonymous letters regarding the stoplights along Highway 41 and he has no way to respond to them. He encouraged people to sign letters they send. In response to the letters, he stated the stoplights are governed by the State and they have no say with them.
- Thanked everyone who signed up for Commissions.
- Stated he was proud of the residents for clearing the snow from around the fire hydrants after the last snow storm.
- He also noted Officer Kyle stopped and helped a resident who was stuck in their driveway. City Administrator Podhradsky stated the winter storm was a neighborhood bonding experience where people got out and helped each other.
- Commented they do not get to pick which businesses get to come into our their City. It is the market that drives that decision and it is a good sign if businesses are willing to come.
- Announced the Guardian Angels beef and sausage dinner is on Saturday, February 9 from 11:00 am to 1:00 pm, and take outs are available.
- Announced the first fish fry will take place at Guardian Angels on the first Friday following the beginning of Lent.
- Commented Minnesota and Minneapolis showed themselves well with hosting the Super Bowl and he liked the Prince tribute. Councilmember Schulz noted there were curling members on the roof of the WCCO studio.

Community Development Director Ringwald

- Stated snow golfing at Hazeltine was filmed for a commercial.

14. Adjourn

Motion by Councilmember Schulz, second by Councilmember Boe to adjourn the meeting at 9:18 pm.

Motion carried.