

**REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF VADNAIS HEIGHTS  
JANUARY 16, 2018**

The regular meeting of the Council of the City of Vadnais Heights was held on the above date and called to order by Mayor Fletcher at 7:00 p.m.

Everyone present stood and said the Pledge of Allegiance.

City Administrator Kevin Watson provided several announcements.

**ROLL CALL**

Upon roll call, the following members were present: Mayor Bob Fletcher, Councilmembers: Craig Johnson, Heidi Gunderson, Terry Nyblom, and Greg Urban.

The following member was absent: None.

Also present were: Kevin Watson, City Administrator; Mark Graham, City Engineer; Nolan Wall, Planning/Community Development Director; Bob Sundberg, Finance Director; Ed Leier, Fire Chief; Caroline Bell Beckman, City Attorney; and Jeff Melcoch, Cable Producer.

**APPROVAL OF AGENDA**

Mr. Watson requested the addition of Item 7H to the agenda to approve hiring Deputy City Clerk Peggy Aho. He explained the interview process that included department heads and shared her background as Executive Assistant for a consulting firm for large Metropolitan Council transit projects, CTIB, and Northstar Corridor Authority that include minute-taking.

Upon motion by Gunderson, seconded by Nyblom, it was

18-01-22      “RESOLVED, that the agenda for the January 16, 2018, Council Meeting be approved as amended, adding Item 7H, Approve Recommendation of Hiring Deputy City Clerk Peggy Aho as Conditioned by the City Administrator.”

Ayes – 5

Nays – 0

The resolution was adopted.

Mayor Fletcher clarified that minutes would be taken remotely until the Ms. Aho began employment on February 1.

**APPROVAL OF MINUTES**

A. January 2, 2018, Workshop Meeting

Upon motion by Johnson, seconded by Urban, it was

18-01-23      “RESOLVED, to approve the January 16, 2018, Workshop Meeting Minutes as presented.”

Ayes – 5                      Nays – 0

The resolution was adopted.

B. January 2, 2018 Regular Meeting

Councilmember Nyblom requested amendments to the minutes to include language to all franchise fee motions that a separate capital fund be created for the franchise fees to be used for street maintenance.

Upon motion by Nyblom, seconded by Urban, it was

18-01-24      “RESOLVED, to approve the January 2, 2018, Regular Meeting Minutes as amended.”

Ayes – 4                      Nays – 0                      Abstain – 1 (Urban)

The resolution was adopted.

**APPROVAL OF CONSENT AGENDA**

Upon motion by Nyblom, seconded by Gunderson, it was

18-01-25      “RESOLVED, that the Consent Agenda items for the January 16, 2018, meeting be approved as follows:

- A. Approve Claims #75579 through #75644, and Electronic Claims #1175 through #1185 for payment.
- B. Approve Ratification of Vadnais Heights Fire Department Officers for 2018.
- C. Approve Appointment of Regular Part-Time Firefighter Ramon Gurrola Effective January 1, 2018.
- D. Approve 2018 St. Paul Area Chamber of Commerce Contract for Services.
- E. Accept Resignation of Regular Part-Time Firefighters Todd Bacigalupo and Mike Pfothenauer Effective December 31, 2017.

- F. Approve LG220 Gambling Permit for the North Metro Longbeards Chapter to Hold a Raffle at Jimmy’s Conference Center, 3565 Labore Road on March 1, 2018.
- G. Acceptance of Drainage and Utility Easements – Lot 1, Davidson’s Third Subdivision.
- H. Approve Recommendation of Hiring Deputy City Clerk Peggy Aho as Conditioned by the City Administrator

Ayes – 5                      Nays – 0

The resolution was adopted.

**OPEN TO THE PUBLIC**

No one wished to speak.

**PRESENTATIONS**

None.

**PUBLIC HEARINGS**

- A. Public Hearing for Case 17-026: Consider Minor Subdivision of 684 Stockdale Road

Planning/Community Development Director Nolan Wall provided an overview of a proposed minor subdivision at 684 Stockdale Road for a lot split to allow the construction of two new single-family dwellings. He shared aerial and survey images and outlined the minimum lot width requirements and setbacks and noted there was adequate buildable area for the two new single-family homes. He commented on park dedication fees, that drainage and utility easements would be needed, and that grading and drainage plans will be reviewed as part of the building permit process. He said Planning Commission review was not required by City Code but that a public hearing is required, even with the new public hearing process.

Councilmember Johnson asked if houses would match up with sight lines of lots instead of streets. Mr. Wall said the plans show building pad setbacks and that action would not approve house orientation. He said there is no orientation requirement as long as minimum setbacks are met.

Mayor Fletcher opened the public hearing.

No one wished to speak and Mayor Fletcher closed the public hearing.

Upon motion by Urban, seconded by Nyblom, it was

18-01-26            “RESOLVED, to approve a minor subdivision at 684 Stockdale Road based on the following conditions:

1. The resolution evidencing approval of the minor subdivision shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles, prior to any mortgages, liens or similar interests.
2. Building permits for any new dwellings shall be submitted for review and approval by the Engineering and Community Development Departments, prior to commencement of any construction activities on the subject property.
3. Drainage and utility easements of ten (10) feet along the front and rear yards and five (5) feet along the side yards of proposed Parcel A and Parcel B, described on the Certified Survey, shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a certificate of occupancy.
4. The applicable park dedication, and any levied assessments, after City Council approval and prior to any documents being filed with Ramsey County and/or issuance of any permits for commencement of construction activities on the subject property.”

Ayes – 5

Nays – 0

The resolution was adopted.

**B. Public Hearing for 17-025: Consider Special Use Permit and Site Plan for Midwest ENT**

Mr. Wall provided an overview of a request for a special use permit and site plan approval for Midwest ENT to construct a medical-office building on the unaddressed parcel between Summit Ortho and Wal-Mart. He clarified the remnant piece by the Metropolitan Council parcel does not include this parcel and shared photos of the site. He explained the 13,000-square foot medical-office building was requesting flexibility under the zoning code and commented on the shared driveway, parking requirements and sidewalks with no access from Arcade Street. Mr. Wall stated the site meets the minimum requirements to accommodate the tenants’ needs, but the applicant was requesting building and parking lot setback reductions.

Mr. Wall shared the proposed signage plan with two major tenant signs above the building entrance and one that faces the private drive with minor tenant signage and three service signs. He said staff contends that per Code this service signage is excessive if over the 15% standard and shared other similar signage examples that were not consistent with other medical office uses. He noted any decision would be Council’s and explained that the Planning Commission recommended approval with an additional condition for personal vehicle storage and how the dissenting voters did not mean they were against the project but wanted further discussion regarding signage.

Councilmember Urban inquired about code signage changes and suggested expanding service signage requirements be included.

Councilmember Johnson clarified the concrete pad would be used for a trash enclosure and inquired about snow storage. Mr. Wall said snow storage would be a maintenance and operational issue that would have to be addressed by the applicant but that staff raised the issue to confirm setbacks and landscaping.

Councilmember Nyblom inquired about park dedication. Mr. Wall said this was not a subdivision, but would be discussed further with the City Attorney as part of the development agreement.

Mayor Fletcher inquired about the lighting plan. Mr. Wall shared the proposed lighting plan that included two lighting fixtures, with a photometric plan that meets standards.

Mayor Fletcher said he was pleased to have the applicant in the City and confirmed they wanted an Arcade Street address.

Mayor Fletcher opened the public hearing.

No one wished to speak and Mayor Fletcher closed the public hearing.

Tony Benusa, Midwest ENT Specialists, shared reasons why they needed the service signage as they provide retail services in nature and perform unique service lines not intuitively associated with an ENT specialty. He shared photos of similar signage done in Eagan and their proposed plan and desire to have a nice looking building. He clarified they had no concerns with the 15% wall coverage requirement but said they are more like four separate tenants with Midwest ENT as core signage with separate service signage. Mr. Benusa said they felt it was important to provide signage on a basis for patient and community awareness and direction and provided clarification from the Planning Commission meeting on their intent to add signage afterwards in the motion.

Mayor Fletcher suggested adding hearing aid systems to differentiate from a product and avoid a billboard look. Mr. Benusa explained how their services were branded and that historically they have not been able to offer full services to the community.

Mayor Fletcher shared concerns about signage height. Mr. Benusa said they would comply with the 15% which should satisfy the City's concerns.

Councilmember Urban said he recognized the value of signage to the business and said this was a nice looking building with signage consistent with Wal-Mart and had no issues with the signage.

Councilmember Johnson agreed, adding the signage was not overwhelming and understood the need for the brand.

Councilmember Gunderson said she had no issues and was pleased the applicant was going to build in the City and confirmed bicycle storage was included in Condition #15.

Mr. Wall clarified the proposal was for 17% but noted the applicant was willing to meet the 15% requirement and if Council wished to accept as proposed staff would suggest an additional condition that font size be consistent in height.

Mr. Benusa said they would be able to meet those conditions but that the word “Face” would still be larger as it is part of their branding. Mr. Wall agreed, stating the word “Face” was part of the tenant sign and would be included in the development agreement.

Mayor Fletcher inquired about the front door exterior lighting. Patrick Giordana, BDH Young Architects, explained the front canopy would have lighting underneath with decorative wall sconces on the outside.

Mr. Benusa confirmed their willingness to meet the 15% wall signage coverage requirements.

Upon motion by Urban, seconded by Johnson, it was

18-01-27      “RESOLVED, to approve a special use permit and site plan for an unaddressed Arcade Street Parcel (PID: 333022220027) as amended based on the following conditions:

1. A development agreement shall be entered into by the applicant, and all others with interests in the subject property, with the City, to be filed at the applicant’s cost with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a Building Permit.
2. Roadway easement and landscaping agreements shall be amended and/or established with the adjacent property owner/authorized agent to the north, to be filed at the applicant’s cost with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a certificate of occupancy.
3. Utility and landscaping agreements shall be amended and/or established with the adjacent property owner/authorized agent to the south, to be filed at the applicant’s cost with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a certificate of occupancy.
4. Drainage and utility easements of ten (10) feet on front/rear and five (5) feet on each side of the subject property, as described in ALTA/NSPS Land Title Survey, shall be dedicated to the City, to be filed at the applicant’s cost with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a certificate of occupancy.
5. A building permit shall be submitted for review and approval by City staff, prior to commencement of any construction activities on the subject property.
6. A revised landscape plan, in compliance with the applicable City Code standards not granted flexibility under the PUD District Overlay

- request and including additional plantings, along the south side of the subject property, shall be submitted for review and approval by the City Council, to be included as part of the Development Agreement.
7. A revised Signage Plan, in compliance with the applicable City Code standards not granted flexibility under the PUD Overlay District request, shall be submitted for review and approval by the City Council, to be included in the Development Agreement.
  8. A sign permit(s) shall be submitted for review and approval by City staff, prior to any signage being installed on the subject property.
  9. The addition of any new tenants to the proposed building shall be compliant with the minimum standards for the required number of off-street parking stalls, as in Chapter 20.080(1)(c) of the City Code, to be reviewed and approved by City staff.
  10. Roof-top mechanical units shall be of a low-profile variety and ground-mounted units shall be adequately screened, to be reviewed and approved by City staff as part of the building permit review process.
  11. The proposed trash enclosure shall be constructed of similar materials and colors as the proposed building.
  12. Compliance with the Vadnais Lake Area Water Management Organization's memorandum, dated November 20, 2017.
  13. Compliance with the Fire Chief's memorandum, dated November 21, 2017.
  14. Compliance with the City Engineer/Director of Public Service memorandum, dated December 7, 2017.
  15. Reasonable accommodations shall be made as part of the proposed development for bicycle/personal travel vehicle storage."

Ayes – 5

Nays – 0

The resolution was adopted.

Mayor Fletcher thanked the applicant for their investment in the community and Council complimented Mr. Wall on his work.

## **OLD BUSINESS**

### **A. Consider Ordinance Adopting the 2018 Fee Schedule**

Mr. Watson said Council is asked to adopt an ordinance amending the 2018 fee schedule for general fees, building fees, community development fees, park fees, Vadnais Heights Commons fees and utility fees. He outlined the proposed changes including minor increases on false alarms, fire inspection programs for inflation, rental dwelling inspections, and a utility rate increase of 2%.

Mayor Fletcher opened this matter to the public.

No one appeared.

Councilmember Nyblom clarified the 2% per quarter on the base water charge would be \$2 for minimum usage and inquired about two fees that showed no change on Page 10. Finance Director Bob Sundberg said one fee was fixed by the State and the other rate regarding hotel use had no change.

Upon motion by Gunderson, seconded by Johnson, it was

18-01-28 “RESOLVED, to approve an ordinance adopting the 2018 Fee Schedule.”

Ayes – 5                      Nays – 0

The resolution was adopted.

**NEW BUSINESS**

A.     Consider Replacing Vehicle #116

City Engineer Mark Graham said Council is asked to authorize the purchase of a chassis cab from I State Truck Center for \$82,770.00 and equipment from Towmaster for \$93,687.00. He reviewed the established criteria used with the Capital Replacement Policy developed by Dakota County and outlined the major concerns with Unit #116 and reasons for replacement, adding the vehicle had broken down yesterday during plowing and was in need of replacement.

Councilmember Nyblom commented on the effects of road salt on vehicles.

Councilmember Johnson asked if there were other ways to protect vehicles from road salt. Mr. Graham said the Public Works Facility has a wash bay with under carriage wash and said vehicles are washed after each use.

Upon motion by Urban, seconded by Gunderson, it was

18-01-29 “RESOLVED, to approve the purchase of a chassis cab from I State Truck Center for \$82,770.00 and equipment from Towmaster for \$93,687.”

Ayes – 5                      Nays – 0

The resolution was adopted.

B.     Consider Release of Certain Development Agreements for Heights Plaza

Mr. Wall stated there is a contract for purchase of Volp Vadnais Heights, LLC for the real estate for the existing Heights Plaza shopping center. As a result of several major improvements a number of development agreements have been entered into over the years and staff recommends release of several. He noted the improvement projects have been completed with no outstanding

issues or conditions that need to be assigned to the potential new owner of the Volp entity and that staff recommends approval.

Mayor Fletcher confirmed this action would not affect the monument signage.

Upon motion by Johnson, seconded by Urban, it was

18-01-30      “RESOLVED, to approve release of development agreements with Volp Development Company dated November 18, 1986, September 17, 1997, and July 10, 1998.”

Ayes – 5                      Nays – 0

The resolution was adopted.

**C.      Consider Setting February 7, 2018, Workshop and Agenda**

Mr. Watson suggested that the workshop agenda include: commercial/City Center Zoning District review; new Trax presentation; Garceau Task Force discussion, and Public Works CIP purchases discussion.

Mayor Fletcher suggested The Commons discussion be included on the February 7 workshop instead of being discussed this evening.

Councilmember Nyblom asked that the purchasing policy review be included at the next meeting.

**COUNCIL AND DEPARTMENT REPORTS**

Fire Chief Leier updated the Council on the warning siren system upgrade that was budgeted for \$20,000 and will come in under budget.

Assistant City Administrator Keefe had no report.

City Attorney Beckman Bell had no report.

Finance Director Sundberg had no report.

Planning/Community Development Director Wall updated the Council on the codification project with Municode, stating the first draft is being reviewed for proposed changes before adoption. He shared the County was looking for a delegate and alternate for the Policy Advisory Committee for the Rush Line Project.

City Engineer Graham reported the RFP for engineering services will be coming forward soon for interviews. He stated the channel excavation was going well on County Road F and that staff plowed yesterday.

City Administrator Watson updated the Council on the recent DNR meeting with neighboring cities regarding the White Bear Lake lawsuit. He said there will be implications with irrigation and conservation and the plan for the City to move to surface water soon and that the DNR will be amending our permit.

Councilmember Gunderson explained the interview process for a new vendor for The Commons.

Councilmember Nyblom had no report.

Councilmember Johnson said The Commons interview process went well and that they hope to arrive at a decision soon.

Councilmember Urban had no report.

Mayor Fletcher had no report.

Upon motion by Nyblom, the meeting was adjourned at 8:27 p.m.

Respectfully submitted,

---

Kevin P. Watson, City Administrator

ATTEST:

---

Bob Fletcher, Mayor