

**REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF VADNAIS HEIGHTS
JANUARY 22, 2018**

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

ADMINISTER OATH OF OFFICE TO COUNCIL MEMBER MORSE

City Administrator Watson administered the Oath of Office to Council Member Morse.

ROLL CALL

Upon roll call, the following members were present: Mayor Heidi Gunderson, Council Members: Craig Johnson, Greg Urban and Robert Morse.

The following members were absent: Council Member Patricia Youker.

Also present were: Kevin Watson, City Administrator; Tim Sandvik, Assistant City Administrator; Ed Leier, Fire Chief, Bob Sundberg, Finance Director; Caroline Beckman, City Attorney; and Jesse Farrell, Public Works Director.

Everyone present stood and said the Pledge of Allegiance.

City Administrator Watson provided several announcements.

APPROVAL OF AGENDA

Upon motion by Urban, seconded by Johnson, it was

19-01-116 “RESOLVED, that the January 22, 2019 Regular Meeting Agenda be approved, as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

APPROVAL OF MINUTES

A. January 8, 2019 Regular Workshop Meeting

Upon motion by Johnson, seconded by Urban, it was

19-01-117 “RESOLVED, to approve the January 8, 2019 Regular Workshop Meeting Minutes, as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

B. January 16, 2019 Special Council Meeting

Upon motion by Johnson, seconded by Urban, it was

19-01-118 “RESOLVED, to approve the January 16, 2019 Special Council Meeting Minutes, as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Urban, seconded by Johnson, it was

19-01-119 “RESOLVED, that the Consent Agenda 7A through 7C items for the January 22, 2019 meeting be approved as follows:

- A. Approve Claims #77222 Through #77298 and Electronic Claims #1322 Through #1327 for Payment
 - 1. US Bank Visa Payment in the amount of \$13,024.55
- B. Approve Service Provider Agreement for Vadnais Heights Commons for a period ending January 1, 2020; and
- C. Approve 2019 Heating, venting and Air Conditioner (HVAC) Preventive Maintenance Services Agreement.”

Ayes – 4 Nays – 0

The resolution was adopted.

OPEN TO PUBLIC

PRESENTATIONS: None

PUBLIC HEARINGS:

A. 2019-1 Street Improvement Projects:

Public Works Director Farrell noted that the Public Hearing is for the 2019 Street Improvement Projects. He said that this Public Hearing is part of the special assessment requirements and another part is the Feasibility Report which was approved by the Council in December 2018. He said that he does have on file and available upon request an Affidavit of Publication of the Public Hearing Notice and of the Mailing performed by City staff. He noted that following tonight’s Public Hearing, staff will ask for the Council to order the project. Once this has been completed, there will be another assessment hearing in May.

Scott Haupt, S.E.H., reviewed the list of 10 potential streets that were brought forward by staff and included in the Feasibility Study:

- Willow Grove Lane from Morningside Avenue to Greenhaven Drive South
- Rosebriar Avenue from Greenhaven Drive South to Willow Grove Lane
- Spring Hill Road from Greenhaven Drive South to Rosebriar Avenue
- Primrose Court from Primrose Path to the west cul-de-sac
- Wildflower Court from Primrose Path to the east cul-de-sac
- Tessier Trail from 300 feet north of Tessier Circle to 350 feet south of the cul-de-sac
- Lambert Creek Lane from Bear Avenue South to the cul-de-sac
- Thomas Court from Lambert Creek Lane to the south cul-de-sac
- Krey Avenue from Oak Creek Drive South to 300 feet north
- Oak Creek Terrace from Oak Creek Drive South to Oak Creek Drive South

Haupt noted that these streets were studied, and brought forward by staff, based on age and condition and that the recommended improvement type is bituminous replacement, and that needed utility work also be performed, and any minor curb repairs made as necessary. He said that the intent is to confine the work to the roadway area. The estimated cost of the 10 street improvements is \$1.14 million but that the City’s 2019 CIP Budget only allows for \$325,000 in City contributions. Haupt noted that the breakdown of special assessment to residents is estimated to be about 60 percent (city) and 40 percent (residents). Haupt said that there is not enough money in the City’s budget to do all 10 streets.

Haupt reviewed the alternatives proposed by staff and Farrell reviewed the estimated costs of each alternative:

Alternative 1 – Staff Recommendation

- Willow Grove Lane from Morningside Avenue to Greenhaven Drive South - \$173,900
- Rosebriar Avenue from Greenhaven Drive South to Willow Grove Lane - \$87,500
- Spring Hill Road from Greenhaven Drive South to Rosebriar Avenue - \$113,600
- Krey Avenue from Oak Creek Drive South to 300 feet north - \$45,100
- Oak Creek Terrace from Oak Creek Drive South to Oak Creek Drive South - \$213,700

Assessments	\$ 272,700	(43% of project cost)
<u>City Share</u>	<u>\$ 361,100</u>	<u>(57% of project cost)</u>
TOTAL	\$ 633,800	(100%)

Alternative 2

- Willow Grove Lane from Morningside Avenue to Greenhaven Drive South - \$173,900
- Rosebriar Avenue from Greenhaven Drive South to Willow Grove Lane - \$87,500
- Spring Hill Road from Greenhaven Drive South to Rosebriar Avenue - \$113,600
- Lambert Creek Lane from Bear Avenue South to the cul-de-sac - \$116,700
- Thomas Court from Lambert Creek Lane to the south cul-de-sac - \$70,500

Assessments	\$ 272,700	(49% of project cost)
<u>City Share</u>	<u>\$ 323,900</u>	<u>(51% of project cost)</u>
TOTAL	\$ 562,200	(100%)

Alternative 3

- Willow Grove Lane from Morningside Avenue to Greenhaven Drive South - \$173,900
- Rosebriar Avenue from Greenhaven Drive South to Willow Grove Lane - \$87,500
- Spring Hill Road from Greenhaven Drive South to Rosebriar Avenue - \$113,600
- Primrose Court from Primrose Path to the west cul-de-sac - \$63,100
- Wildflower Court from Primrose Path to the east cul-de-sac - \$83,500

Assessments	\$ 214,900	(41% of project cost)
<u>City Share</u>	<u>\$ 306,700</u>	<u>(59% of project cost)</u>
TOTAL	\$ 521,600	(100%)

Alternative 4

- Willow Grove Lane from Morningside Avenue to Greenhaven Drive South - \$173,900
- Rosebriar Avenue from Greenhaven Drive South to Willow Grove Lane - \$87,500
- Spring Hill Road from Greenhaven Drive South to Rosebriar Avenue - \$113,600
- Tessier Trail from 300 feet north of Tessier Circle to 350 feet south of the cul-de-sac - \$170,900

Assessments	\$ 272,700	(38% of project cost)
<u>City Share</u>	<u>\$ 336,200</u>	<u>(62% of project cost)</u>
TOTAL	\$ 545,900	(100%)

Farrell noted that the City’s assessment policy was adopted in 1993 and has been consistently applied over the years. He said that in Vadnais Heights, assessments have been done on a per unit basis for the past 25 years with an 8 year payoff schedule with an interest rate of 8% charged to residents. Farrell noted that the City has offered a senior deferment, which would mean the assessment would be deferred but gather interest.

Farrell stated that the schedule thus far to date includes:

- Discussing the 2019 Street Improvements Project at a City Council Workshop in August of 2018.
- The Council ordering the completion of a Feasibility Study on the Improvement Projects on September 4, 2018.
- Sending out informational letters to all residents and two field meetings were held in the beginning of September 2018.
- A follow-up letter was sent to Primrose Court residents in October 2018.
- The Council approved the Feasibility Study and ordered the Public Hearing for tonight and set the maximum 2019 assessment rates on December 19, 2018

Farrell noted that since that time, staff have sent out another informational letter to residents regarding tonight’s Public Hearing and the January 10th Open House.

Farrell said that staff are asking for a recommendation from the Council that staff be directed to order the project, and if the Council does order it, staff would also ask for a recommendation to get authorization for the preparation of plans and specs by S.E.H.. Following this recommendation, if the Council is to authorize the order of the project and authorizes getting plans and specs prepared, staff would then come back to the Council in March for approval of the plans and specs and get authorization to advertise for bids. Farrell said that it is expected that bids would be received in April and then the Council would need to act to accept the bids and then set another assessment hearing date and construction could begin in June with it finishing up prior to school year beginning in September. Farrell noted that staff are recommending that the Council hold the Public Hearing and approve the staff's recommendation that the streets to be included in the 2019 Street Improvement Project list include the 3 streets to the north and 2 streets to the south, then order the project and establish an assessment rate and authorize preparation of the plans and specifications.

Council Member Urban asked how staff reached the decision regarding which streets to select to be included. Farrell replied that in this case all the streets initially included in the list have poor pavement condition and are all good candidates but to maximize the extent possible staff are recommending that the City reconstruct them based on a geographical basis. Urban asked with regards to the streets not getting done in 2019, would it be safe to say that they would be getting repaired next year. Farrell replied that any not getting repaired in 2019 will be strong candidates for 2020. Staff will again take a look at the list of streets that need to be repaired and prioritize them. He said that he would recommend that the Council include the streets excluded in 2019 to be included in the 2020 Improvement Projects list. Urban asked how much it will cost to have S.E.H. prepare the plans and specifications for the 2019 Projects. Farrell replied that typically the total cost would be about 25 percent of the projected project costs. Urban asked if the City has received a quote from S.E.H. for this work. Farrell said that the work is proposed to be done at a not to exceed amount of \$23,200 at the rates the City has on file from S.E.H.

Mayor Gunderson opened the Public Hearing on the 2019-1 Street Improvement Projects at 7:24 p.m.

Judy Jarnberg, 3614 Oak Creek Terrace, requested that Terrace go from the "maybe list" to the "needs to be done list".

Mark Al, 3854 Tessier Trail, which is part of the Alternative 4. He noted his concern about the water flow in the area at the end of his driveway. He said that in talking to City Staff, and S.E.H., they indicated that the improvements which would be made would most likely take care of the ponding of water at the end of his driveway. He also asked that the repair be delayed until next year, because it would give them time to gather the funds needed to be put towards the project. Al also said that consideration should be given for all the wear

and tear on the road during construction of the homes in the area. He also suggested that the City review, in due course, the method it uses for determining assessment projects. He said that perhaps the City should begin having residents pay smaller portions over time to be better prepared for future improvement costs.

Larry Husak, Tessier Trail, said that the construction of a home near him caused a lot of damage to the road and he feels that the project should not be done until the construction on the street is complete. He also asked how assessments are split in an area if some of the property is City owned. City Administrator Watson noted that there are pieces of property that the City does own and that the City pays its own share of the assessments which accounts for lower percentage of assessment towards the residents in a certain area.

Gunderson asked when Tessier Trail was last improved. Farrell responded that he believes it was last repaired in the mid 90's.

Mayor Gunderson closed the Public Hearing at 7:34 p.m.

Urban said that he will support the staff recommendation.

Upon motion by Urban, seconded by Morse, it was

19-01-120 “RESOLVED, that the Council orders the preparation of Plans and Specifications for the 2019-1 Street Improvements Project, as recommended.”

Ayes – 4 Nays – 0

The resolution was adopted.

Upon motion by Johnson, seconded by Urban, it was

19-01-121 “RESOLVED, that the Council: 1) orders the 2019-1 Street Improvements project on Willow Grove Lane from Morningside Avenue to Greenhaven Drive South, on Rosebriar Avenue from Greenhaven Drive South to Willow Grove Lane, on Spring Hill Road from Greenhaven Drive South to Rosebriar Avenue, on Krey Avenue from Oak Creek Drive South to 300 feet north, and on Oak Creek Terrace from Oak Creek Drive South to Oak Creek Drive South; 2) directs that the Order is valid for a period of eighteen (18) months; 3) says that the improvements shall hereafter be known and referred to as the 2019-1 Street Improvement Project; and 4) that the interest rate for assessments is established as 6.0%.”

Ayes – 4 Nays – 0

The resolution was adopted.

B. Minor Subdivision/Easement Vacation at 3621/3629 Edgerton Street

City Administrator Watson gave an overview of the action before the Council on the proposed minor subdivision/easement vacation at 3621/3629 Edgerton Street. Watson said that any building on the property would have to have a building permit approved prior to construction and that the action before the Council is to split two (2) lots into three (3) lots. As part of this, the Council will vacate and accept easements, and accept the new easement on the back side of the original properties. The City will also have to vacate the drainage and utility easement. Watson noted that there will need a 4/5's vote for this type of action, in other words – 4 in favor since one Council Member was absent. He said that there are 3 separate resolutions before the Council: approval of the minor subdivision, approval of vacating the drainage and utility easements; and accepting the new drainage and utility easements.

Mayor Gunderson opened the Public Hearing on the minor subdivision/easement vacation at 3621/3629 Edgerton Street at 7:41 p.m.

Seeing no one that wanted to speak, Gunderson closed the Public Hearing at 7:41 p.m.

Council Member Johnson said he is concerned that the drainage on the property will then hit across the middle of the original lot. Watson said that the drainage would be resolved with the development of whatever home is proposed on the site. Public Works Director Farrell said that the City requires dedication of a 5 foot drainage and utility easement along the lot lines. Following tonight's action, if and when a building permit was submitted, staff would review the drainage.

Upon motion by Urban, seconded by Johnson, it was

- 19-01-122 “RESOLVED that the Council approves the minor subdivision request as proposed in Case 18-014 with 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) A Drainage and Utility Easement of at least ten (10) feet along the rear yards of proposed Parcels A, B, and C, as 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 for any new dwelling on the subject property; 3) The applicable park dedication and storm water improvement fees required for Parcel A shall be paid by the applicant, in lieu of land 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; and 4) Building Permits for any new dwelling on Parcel A 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.”

Ayes – 4

Nays – 0

The resolution was adopted.

Upon motion by Urban, seconded by Morse, it was

19-01-123 “RESOLVED that the Council, after due consideration, determined that: 1) The City of Vadnais Heights hereby vacates the portion of the drainage and utility easement legally described in Exhibit B; 2) The petitioned vacation has no adverse relationship to the City’s Comprehensive Plan; 3) The notice requirements have been met; 4) The vacation applies only to that portion of the drainage and utility easement described in Exhibit B attached hereto and not to: (a) any other portions of said easements, or (b) any other easements running to or benefitting the City of Vadnais Heights; 5) The easement vacation authorized by this Resolution shall only be effective following the recording of a Notice of Completion completed pursuant to Minnesota Statutes §412.851; and 6) The City Administrator is directed to execute a Notice of Completion of these vacation proceedings pursuant to Minnesota Statutes §412.851; and it was further Resolved that the Mayor and the City Administrator were authorized to sign all documents necessary to effectuate the intent of this resolution.”

Ayes – 4

Nays – 0

The resolution was adopted.

Upon motion by Urban, seconded by Morse, it was

9-01-124 “RESOLVED that the Council accepts the Drainage and Utility Easement as presented.”

Ayes – 4

Nays – 0

The resolution was adopted.

C. Ordinance No. 732: City Code Amendments

City Administrator Watson said that the City did not get the updated code changes from Municode in time for this meeting, but the Public hearing notice was published in the Vadnais Heights Press stating that it would be held at this meeting. Staff are requesting that the Council open the Public Hearing, take any comments, if any, and then continue the Public Hearing until the February 5, 2019 meeting.

Mayor Gunderson opened the Public Hearing on Ordinance No. 732, City Code Amendments.

Upon motion by Johnson, seconded by Morse, it was

19-01-125 “RESOLVED that the Public Hearing on Ordinance Nu. 732, City Code Amendment, be continued until the February 5, 2019 Regular City Council meeting.”

Ayes - 4

Nays - 0

The resolution was adopted.

OLD BUSINESS: None

NEW BUSINESS: None

COUNCIL AND DEPARTMENT REPORTS

Public Works Director Farrell noted that about 3000 of the 4000 water meters in the City have been replaced. Another final notice is being sent out to residents.

City Attorney Beckmann said welcome to Council Member Morse.

Fire Chief Leier had nothing to report.

Assistant City Administrator Sandvik reminded the Council that the Parks & Trails Commission meets on January 28. He formally welcomed Council Member Morse.

Council Member Johnson welcomed Council Member Morse.

Council Member Urban welcomed Council Member Morse. He also asked that at a future Workshop the Council discuss the Garceau Property and perhaps exploring single family houses or

perhaps even duplexes being built on the least contaminated portion of the property.

Council Member Morse noted that he had nothing to add.

Mayor Gunderson welcomed Council Member Morse and thanked all the applicants that applied for the open Council position.

City Administrator Watson noted that he did attend a Ramsey County Board meeting and at the meeting, the County Board talked about the Sports Dome. He said it appears that there is some agreement to build a smaller trussed facility and that they will be seeking cost participation from community partners.

ADJOURN MEETING

A motion was made by Council Member Johnson to adjourn the meeting at 7:56 P.M.

Respectfully submitted,

Kevin Watson, City Administrator

APPROVED