

**REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF VADNAIS HEIGHTS
JULY 21, 2020**

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.

ROLL CALL

Upon roll call, the following members were present: Mayor Heidi Gunderson, Council Members: Bob Morse, Patricia Youker and Greg Urban.

The following members were absent: None.

Also present were: Kevin Watson, City Administrator; Tim Sandvik, Assistant City Administrator; Nolan Wall, Planning/Community Development Director; Jesse Farrell, Public Works Director; Chris Hearden, Interim Fire Chief; Caroline Beckman, City Attorney; and Peggy Aho, Deputy City Clerk.

Everyone present stood and said the Pledge of Allegiance.

City Administrator Watson provided several announcements.

APPROVAL OF AGENDA

Upon motion by Morse, seconded by Youker, it was

20-07-108 “RESOLVED that the Amended July 21, 2020 Regular Meeting Agenda be approved as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

APPROVAL OF MINUTES

A. June 16, 2020 Regular Workshop Meeting

Upon motion by Youker, seconded by Morse, it was

20-07-109 “RESOLVED that the June 16, 2020 Regular Workshop Meeting minutes be approved as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

B. June 16, 2020 Regular Council Meeting

Upon motion by Morse, seconded by Youker, it was

20-07-110 “RESOLVED, to approve the June 16, 2020 Regular Council Meeting Minutes as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Morse, seconded by Youker, it was

20-07-111 “RESOLVED, that the Consent Agenda Items #7A through #7F for the June 16, 2020 meeting be approved as follows:

- A. Consider Approving Claims #79424 Through #79541 for Payment
 - 1. U.S. Bank in the amount of \$3,013.33
- B. Consider Approving a Joint Powers Agreement with the Ramsey County GIS Users Group
- C. Consider Approving Development Agreement with John-Rickson Properties and At Home Apartments, LLC
- D. Consider Accepting Parks and Trails Commissioner Jensen’s Resignation
- E. Consider Approving the Environmental Covenant for Five Star Mobile Estates Documents Subject to Minor Revisions
- F. Consider Resignation of Regular Firefighter, Sam Goecke, effective July 21, 2020
- G. Consider Approval to Submit an Application for GameTime Matching Fund Playground Equipment Grant”.

Ayes – 4 Nays – 0

The resolution was adopted.

OPEN TO THE PUBLIC

Mayor Gunderson opened the floor to the public at 7:03 p.m. Justin Charpenter, 785 North Oak Drive, came forward to speak about the sale of Staehli property. He said that he had a chance to talk to the contractor about the project and he doesn’t have any issues with the sale of the land. There being no one else that wished to speak, Gunderson closed Open to the Public at 7:04 p.m.

PRESENTATION(S): None

PUBLIC HEARINGS:

A. Planning Case 20-010: Minor Subdivision at 3740 Centerville Road

Planning/Community Development Director Wall reviewed the request for a proposed minor subdivision lot split and said that the subdivision meets all applicable conditions. He noted that the split would turn one property into two lots and that the existing buildings will not create any new non-conformities with the current City Code.

He stated that this is a Public Hearing for the Council to consider approval of the proposed request, based on findings of fact, with conditions, deny the proposed minor subdivision, or the Council could table the request to a future meeting. Wall noted that the staff recommend approval of the request, with conditions as noted below:

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 driveway permit shall be submitted for review and approval by Ramsey County and provided to the City as part of the building permit review process.
3. Drainage and utility easements of at least ten (10) feet along the front/rear yards and five (5) feet along the side yards of both proposed parcels, as described on the Survey, shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles.
4. The new easements shall be filed immediately after the minor subdivision is filed.
5. All parties with interests in the property subject to the easement(s) must sign the easement(s).
6. In the event there are any new mortgages or other interests in either property, signed original consents shall be required.
7. Prior to release of the remaining escrow funds, the applicant shall provide a recorded copy of the easements to the City.

Mayor Gunderson opened the Public Hearing at 7:08 p.m. There being no one that wished to speak, Gunderson closed the Public Hearing at 7:08 p.m.

Upon motion by Urban, seconded by Morse, it was

20-07-112 “RESOLVED, that the Council approves the proposed Minor Subdivision at 3740 Centerville Road, based on the findings of fact that the request is

compliant with applicable City Code standards and consistent with the Comprehensive Plan, subject to conditions.”

Ayes – 4

Nays – 0

The resolution was adopted.

OLD BUSINESS

A. Resolution on Council Vacancy

City Administrator Watson noted that before the Council for consideration is a Resolution which the City Attorney prepared that leaves the Council seat vacant until the November elections and, ultimately, directs staff to contact the candidate with the highest votes that the Council intends to appoint them to be sworn in at the November 4, 2020 Council meeting, if they so choose.

Upon motion by Youker, seconded by Urban, it was

20-07-113 “RESOLVED, that the Council adopts a Resolution Regarding Appointment to Fill City Council Vacancy with the candidate that receives the highest votes in the November 3, 2020 Elections.”

Ayes – 4

Nays – 0

The resolution was adopted.

B. Heritage Days

Assistant City Administrator Sandvik introduced the item before the Council for consideration regarding 2020 Heritage Days. He noted that staff are recommending that the Council cancel the 2020 Heritage Days events for a variety of reasons, including: Federal, State and Regional health/public safety guidelines limit any potential event; only a handful of past participants have said that they might participate; the events rely on volunteers from community partners and those partners have concerns about health and public safety issues; City Staff, seasonal part-time staff hours will cease, and the city relies on that support to staff the various functions; and donations are significantly down.

Council Member Urban asked with regards to the parade, what percentage of the past participants said that they were not interested in participating this year. Sandvik replied that there are typically 50 to 60 entrants and about 20 percent of those have said that they would not participate. Urban said it is troubling to him that we are canceling Heritage Days,

he was hoping the City could do something. Mayor Gunderson said that she too is sad that we can't hold Heritage Days, and said that perhaps sometime in the winter the City can host an event of some sort. Gunderson thanked the sponsors that had donated and said that she appreciates them and looks forward to making next year's event a great one.

NEW BUSINESS

A. Planning Case 20-009: Dobbelmann Properties LLC – Site Plan at 3391 Labore Road

Planning/Community Development Director Wall noted that the applicant has a purchase agreement with the property owner and intends to construct approximately 35,000 SF office-showroom building and is seeking site plan approval. Wall noted that a site plan was approved in 2017, but the facility was not constructed. Wall said that the Planning Commission held a Public Hearing on June 23 and the Commission and staff are recommending approval based on the findings of fact and with the following conditions:

1. A development agreement between the property owner, and all others with interests in the subject property, shall be entered into with the city, to be recorded at the applicants cost with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a building permit.
2. The proposed infiltration basins shall not encroach onto Ramsey County right-of-way.
3. Building and grading permits shall be submitted for administrative review/approval, prior to commencement of any construction activities on the subject property.
4. Driveway and right-of-way permits shall be submitted for review and approval by Ramsey County and provided to the City as part of the building permit review process.
5. A Fire Certificate of Occupancy shall be obtained annually from the Fire Department by the responsible party, in compliance with the City Code.
6. A sign permit shall be submitted for administrative review/approval, prior to any sign(s) being installed on the subject property
7. No outdoor storage of materials, supplies, products, or equipment shall be permitted on the subject property without future approval of a special use permit, in compliance with the applicable Zoning Code procedures and standards.
8. The property owner shall establish a new/amended access easement agreement with the existing telecommunication tower leaseholder on the subject property.

9. Roof-top mechanical units shall be of a low-profile variety and ground-mounted units shall be adequately screened, to be administratively reviewed/approved as part of the building permit.
10. Building utility area shall be adequately screened by plant material and/or fencing and shall not obstruct fire department connections or hydrants, to be administratively reviewed/approved as part of the building permit.
11. Existing vegetation proposed to be preserved shall be done so in compliance with the applicable requirements of Chapter 38, Article IV, Section 601(11) of the City Code.
12. Trash/recycling containers shall be screened on all four sides with the same materials and the doors must remain closed except when items are being placed into or taken out of the enclosure.
13. The off-street parking lot and driveways shall be constructed and operated in compliance with the applicable code standards to be reviewed/approved administratively as part of the building permit.
14. A photometric lighting plan shall be submitted for inclusion in a subsequent development agreement amendment.
15. The landscape plan shall be revised to comply with the required standards, to be included in a subsequent development agreement.
16. Compliance with the conditions included in the Fire Department's memorandum, dated 06/03/2020.
17. Compliance with the conditions included in the Director of Public Works/City Engineer memorandum, dated 06/18/20.

Upon motion by Urban, seconded by Morse, it was

20-07-114 “RESOLVED, that the Council adopts a Resolution Approving a Site Plan at 3391 Labore Road, Planning Case 20-009, as proposed, subject to the finding of fact and conditions as noted.”

Ayes – 4

Nays – 0

The resolution was adopted.

Gunderson thanked the applicant for their investment in our community.

B. Consider Sale of City-owned Property at 843 East County Road F

Planning/Community Development Director Wall reviewed the resolution prepared by the City Attorney as well as a series of purchase agreements and counter offer documents that were the result of negotiations with the proposed buyer. He said that generally, we are asking for a purchase agreement for 843 East County Road F, approximately 9 acres of City-owned property. He noted that the City purchased the property at 843 East County Road F in 2007 to address long standing code issues and for the opportunity to do infill development and is formally known as the Staehli property. He said in 2014 and 2017 the City sent out an RFP for the purchase and development of the property and no agreements were negotiated as a result of the RFP process. He noted that the City has been approached by a local developer with interest in the property and the Council conducted several closed session meetings to discuss the sale of the property. Wall noted that the preliminary development would include up to 24 twin-homes in a cul-de-sac layout. He said that the City will retain ownership of a portion of the undeveloped land north of the proposed new road but that the exact amount of land being purchased is unknown until further site analyses is completed. Wall noted that the proposed purchase price is \$215,000 and the City will retain ownership of the parcel on the north end. Wall noted that approval of this agreement does not approve a potential project. He said that staff does recommend Council approval of the purchase agreement with J.W. Moore Incorporated.

Council Member Urban asked about the timeline the parties have to come to agreement. City Administrator Watson said March 15, 2021. Urban said there is a right of first refusal for the northern portion, and asked how long is that in effect. Watson said if the City wants to sell the northern portion, they would have first right of refusal. Urban asked what the timeline is on the first right of refusal. Wall noted that on page 6 of the Addendum to Purchase Agreement, the counter offer, item 19, states that the seller will give the buyer first right of offer to purchase Parcel 1, and the term of first offer ends at 11:59 p.m. on the one year anniversary of the closing date.

Gunderson said that the Council discussed the amount of fill, and she noticed that there is not a quantification and will that be communicated later. Wall responded yes they have to get soil reports and get storm water and that will be worked out behind the scenes to understand what they need.

Council Member Morse asked if the City has a Phase 1 Environmental Study on that property. Wall said that the City did not have one done and that he believes the buyer will have to have one done.

Upon motion by Morse, seconded by Youker, it was

20-07-116 “RESOLVED, that the Council adopts a Resolution Approving a Site Plan at 3391 Labore Road, Planning Case 20-009, as proposed, subject to the findings of fact and conditions, and that the Council finds the proposed disposal of real property has no relationship to the Comprehensive Plan and hereby dispenses with the requirements of Minnesota State Statute Section 462.356, Subd. 2, and further that the City ratifies and approves the Purchase Agreement, and authorizes the Mayor and City Administrator to execute the Purchase Agreement and to perform all other actions and execute all other documents necessary to consummate the closing on the property sale by the City as set forth in the Purchase Agreement.”

Ayes – 4

Nays – 0

The resolution was adopted.

C. Consider Approval of the Formation of Vadnais Heights – Community Engagement Committee

Assistant City Administrator Sandvik noted that the Mayor had reached out to City staff a few weeks ago about looking at how the City can be a more inclusive and welcoming community and improving our engagement process. Mayor Gunderson said that she thinks if the Council wants to move forward in creating this, it should identify what the next steps should be. She said her goal is to make sure that we are engaging effectively with all factors of our community. She suggested that if we move forward with this, the Council and staff should continue to research what other communities are doing to figure out how best to develop a Community Engagement Committee for our City.

Council Member Morse said that Council Members have received a lot of feedback on this from the community and he has done a lot of research and talked to a lot of people, and has a lot of time invested with the developmentally disabled, and has been working with agencies throughout the State and said that Merrick is a great asset. He said we have talked about being a dementia friendly community and that has not gone anywhere yet, but that can be discussed as well.

Upon motion by Youker, seconded by Morse, it was

20-07-117 “RESOLVED, that the Council approves the formation of a Community Engagement Committee and directs staff to solicit applications as proposed, reaching out to block captains and to area community organizations.”

Ayes – 4

Nays – 0

The resolution was adopted.

Gunderson thanked staff, residents and fellow Council Members for their comments and work on this.

COUNCIL AND DEPARTMENT REPORTS

Public Works Director/City Engineer Farrell noted that there is a lot of street construction going on right now in the City. He thanked the residents and businesses for their patience during the construction. Few issues have come up. He noted that there are a lot of streets ripped up and a lot of underground work is being done to the utilities. They will be fixing over 30 (*20 stated at the meeting was an incorrect amount, minutes revised to reflect correct number*) gate valves this year. He thanked the Council for the level of investment made this year. Although it is expensive and disruptive, it is much more efficient to make these water main repairs during street reconstruction than to replace individually on an emergency basis. He thanked the Council for the significant amount of infrastructure investment approved for this year.

Assistant City Administrator Sandvik noted that he received an email from Ramsey County Election Manager that voting by mail continues to be a popular option this year. Ballots sent by Ramsey County at this time during the previous elections was 1,450 and at this time 65,645 have been sent. Sandvik noted that the Parks program is up and running. Field registrations are open for youth sports and adult softball. He thanked Beth Jensen, Parks and Trails Commissioner, for her time on the Committee.

Planning/Community Development Director Wall noted that the Council approved the development agreement with At Home. He said there has not been a lot of activity at the site, but they do intend to move forward. They have some challenges with the current condition of things with COVID. He also publically acknowledged our new building official, Phil Marvets, who has been on the job for the last month and a half.

City Administrator Watson noted that he and staff were on a zoom call with a group that does the online management of water meters and usage and it was positive conversation about the next level with our water meter program, with the upgrade we recently did. More to come on that at a future Workshop.

Youker noted that she attended the VLAWMO board meeting and they discussed the 2021 budget. She said that there are funds set aside for ditch maintenance in 2021.

Council Member Morse noted that he has been working a lot with area businesses on PPE loans and cares act. Remind folks to please patronize local restaurants. He has been working a lot on inclusivity forums ideas. Important to know that the community is thinking and said that that could be helpful.

Mayor Gunderson noted that she attended, via zoom, the NYFS Board of Directors meeting a couple of weeks back. She said that she would like to look at setting up a budget workshop for the Council for a date in August and she would like to set that at the August 4th meeting.

Council Member Morse made a motion to adjourn the meeting at 7:58 p.m., seconded by Council Member Urban, meeting adjourned.

Respectfully submitted,

Kevin Watson, City Administrator

Approved