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 7:01 p.m.

Everyone present stood and said the Pledge of Allegiance.

**ROLL CALL**

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

The following members were absent: Council Member Robert Morse

Also present were: Kevin Watson, City Administrator, Tim Sandvik, Assistant City Administrator, Nolan Wall, Planning/Community Development Director, Ed Leier, Fire Chief, Bob Sundberg, Finance Director, Jesse Farrell, Public Works Director, Caroline Bell Beckman, City Attorney, and Peggy Aho, Deputy City Clerk.

City Administrator Watson provided several announcements.

**APPROVAL OF AGENDA**

Upon motion by Johnson, seconded by Urban, it was

19-09-231 “RESOLVED that the September 3, 2019 Regular Meeting Agenda be approved as amended and presented.”

Ayes – 4  Nays – 0

The resolution was adopted.

**APPROVAL OF MINUTES**

A. **August 20, 2019 Regular Workshop Meeting**

Upon motion by Youker, seconded by Johnson, it was

19-09-232 “RESOLVED, to approve the August 20, 2019 Regular Workshop Meeting Minutes, as presented.”

Ayes – 4  Nays – 0

The resolution was adopted.

B. **August 20, 2019 Regular Council Meeting**
Upon motion by Johnson, seconded by Youker, it was

19-09-233 “RESOLVED, to approve the August 20, 2019 Regular Workshop Meeting Minutes, as presented.”

Ayes – 4  Nays – 0  Abstain - Johnson

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Urban, seconded by Johnson, it was

19-09-234 “RESOLVED, that the Consent Agenda Items #7A-7F for the September 3, 2019 meeting be approved as follows:

A. Approve Claims #78202 Through #78244 and Electronic Claims #1403 Through #1411 for Payment
B. Accept and Acknowledge 2019 Heritage Days Grants/Donations
C. Approve 2019 Bow Hunting Permits for:
   1. Michael Fahey hunting at 4016 and 4028 McMenemy
   2. Cole Fahey hunting at 4016 and 4028 McMenemy
   3. Jordan Kimball hunting at 3998 McMenemy
D. Approve a Lawful One-Day Gambling Permit for the North Metro Longbeards Chapter of the NWTF for a Raffle on October 24, 2019
E. Approve a Lawful One-Day Gambling Permit for the Vadnais Heights Economic Development Corporation (VHEDC) to Conduct a Raffle at the VHEDC Annual Dinner on Tuesday, November 12, 2019
F. Approve a Lawful One-Day Gambling Permit for the White Bear Lake Area Educational Foundation to Conduct a Raffle at their Annual Fundraiser on Friday, October 11, 2019.”

Ayes – 5  Nays – 0

The resolution was adopted.

OPEN TO THE PUBLIC:

Mayor Gunderson opened the floor to the public at 7:11 p.m.

Michael Van Berkom, 128 Suzanne Court, addressed the Council regarding an issue with a neighbor’s patio which is shedding a large amount of water onto his property. He has submitted a letter to the neighbor on how they might be able to address the issue. He said that the patio was built a few years ago without a permit and does not meet City Code requirements. He noted that he is looking for guidance on where to go next. He thinks if they bring it into compliance with code it may help.
Public Works Director Farrell noted that he has met with both property owners. He said that the best way may be to not involve the City to the extent it can and just work with one another. Think they probably needed a permit to do what they did, looks like they are encroaching the drainage area. It is causing a problem because of the excessive precipitation this year. He said that he is hopeful that the two property owners can work together to work out a solution without enormous expense to either property owner. He would be happy to continue to work with both property owners. We could require the property owner to submit for a permit and go on from there, perhaps grading and/or tree removal. City Attorney Beckman said that this should be a City issue or cost. The division of water is a private matter.

Gunderson said she would hope that the neighbors can work together to fix this. She said that she will do some research on the backend and get back to Van Berkom.

There being no one else that wished to speak, Gunderson closed the Open to the Public at 7:11 p.m.

PRESENTATIONS:

A. Proclamation in Support of Direct Support Professionals Week, September 8-14, 2019

Mayor Gunderson read a Proclamation in Support of Direct Support Professionals Week, September 8-14, 2019. The Proclamation read as follows:

Declaring the Week of September 8-14, 2019 as Direct Support Professional Recognition Week

WHEREAS, Direct Support Professionals (DSPs) are the primary providers of community-based long-term support services for thousands of individuals with disabilities in Minnesota; and

WHEREAS, DSPs are valued for their work in building close, respectful, and trusted relationships with individuals to assist them with their most intimate needs; and

WHEREAS, DSPs provide essential support to individuals with disabilities to stay connected to family, friends, coworkers and the community, helping them to define and live a quality life; and

WHEREAS, DSPs provide a broad range of individualized supports, including meal preparation, medication assistance, personal care and life skills training, mobility, work and life enrichment opportunities and other daily tasks; and

WHEREAS, DSPs support informed choices and person-centered practices that honor and respect the individuals with disabilities they serve; and

WHEREAS, an adequate workforce of high-quality DSPs is necessary for the people of Vadnais Heights to meet obligations to people with disabilities and minimize more costly settings such as hospitals or institutions; and
WHEREAS, DSPs are one of the fastest growing positions in America and demand for their skills is great, yet low wages and demographic trends are creating a growing shortage of DSPs, leading to increased turnover.

NOW, THEREFORE, I, Heidi Gunderson, Mayor of the City of Vadnais Heights, do hereby proclaim September 8-14, 2019 as Direct Support Professional Recognition Week.

John Barker, Merrick, thanked the Council for issuing this Proclamation. He said they provide services to 375 adults with disabilities within the community. He introduced four of his staff.

PUBLIC HEARINGS:

A. Consider Building Relocation at 3781 Labore Road
   Planning/Community Development Director Wall noted that the applicant is requesting to relocate a detached garage to 3781 Labore Road. He noted that the City Code allows buildings to be relocated, subject to certain conditions and procedures. He noted that the applicant owns the subject property and is requesting to relocate a 576 SF detached garage from the property formerly located at 4107 Centerville Road. Wall stated that the Planning Commission recommended Council approval of the request.

   Upon motion by Johnson, seconded by Youker, it was
   19-09-235 “RESOLVED, that the Council approves a building relocation at 3781 Labore Road as proposed in Case 19-014 based on the following findings of fact: 1) the existing agricultural use on the subject property is permitted and the proposed accessory building continues to support that use without negative affecting surrounding properties; and 2) the proposed accessory building will allow for items currently stored outside to be moved inside, improving operations and the appearance of the property; and, further that Council approves the building relocation request as proposed in Case 19-014 with the condition that the property owner obtains a building permit prior to permanently locating the proposed accessory building, to be reviewed/approved administratively.”
   Ayes – 3 Nays – 0

   The resolution was adopted.

OLD BUSINESS:

NEW BUSINESS:

A. Consider Approval of an Interim Use Permit/Site Plan at 3900 Labore Road
   Planning/Community Development Director Wall noted that the applicant is requesting an interim use permit and site plan approval to allow a temporary office trailer at 3900 Labore Road. Wall noted that the City Code allows interim uses in any zoning district,
subject to certain conditions and procedures. The Code also requires site plan approval for commercial developments prior to issuance of a building permit.

Wall noted that the applicant purchased the subject property in February 2019. On April 24, staff sent the property owner a notice of correction concerning several issues on behalf of the Community Development and Fire Departments and VLAWMO. Staff continues to work with the applicant to attain compliance with code.

Wall said that the office trailer located on the site is intended to be utilized temporarily while construction plans for a permanent office addition to the existing building are explored (for up to two years). Wall noted that the Planning Commission is recommended Council approval of the applicant’s requests.

Upon motion by Johnson, seconded by Urban, it was

#19-09-236 “RESOLVED that the Council approves an Interim Use Permit and Site Plan at 3900 Labore Road as proposed in Case 19-010 with the following conditions: 1) that the interim use permit shall terminate at the earliest of the following, unless an extension is granted; or 2) that under no circumstances shall the office trailer remain on the subject property longer than one year from the effective date of the interim use permit approval, unless an extension is grants.”

Ayes – 4 Nays – 0

The resolution was adopted.

B. Consider Approval of Interim Use Permit/Site Plan at Willow Lake Boulevard/International Drive

Planning/Community Development Director Wall noted that the applicant is requesting an interim use permit and site plan approval for a parking lot expansion project to the existing Acura/Subaru dealership. Wall reviewed the site plan. The City code allows interim uses in any zoning district, subject to certain conditions and procedures. The Code also requires site plan approval for commercial developments prior to issuance of a building permit. This change would need to be reguided in the Comp Plan, but since it is currently going through the review process with the Metropolitan Council and we don’t have a plan to amend. Staff are proposing the Interim Use Process to move the project forward.

Wall noted that the undeveloped subject property is located at the northeast corner of the Willow Lake Boulevard/International Drive intersection and was purchased by the applicant earlier this year. Wall noted that the applicant is seeking to construct a parking lot expansion for additional vehicle storage for the adjacent Acura/Subaru dealerships to the east of the property.
Upon motion by Johnson, seconded by Urban, it was

#19-09-237 “RESOLVED that the Council approves an Interim Use Permit and Site Plan as request for the unaddressed property at the northeast corner of the Willow Lake Boulevard/International Drive Intersection as proposed in Case 19-015 with the following conditions:

1. The interim use permit shall terminate upon City Council approval of the appropriate land use, zoning, and planned unit development amendments to incorporate the subject property and proposed use into the existing planned unit development.
2. The applicant, or agent thereof, shall submit the appropriate land use and zoning applications within nine months of the effective approval date of the interim use permit.
3. A development agreement amendment between the applicant, and all others with interests in the subject property, shall be entered into with the City, to be recorded at the applicant’s cost with the offices of the Ramsey County Recorder and/or Register of Titles, to be considered after approval of the subsequent PUD amendment process.
4. The applicant shall submit a revised landscape plan that demonstrates compliance with the applicable code standards for the required number of plantings and species percentages, to be reviewed/approved administratively.
5. A grading permit in compliance with all applicable code standards shall be submitted prior to commencement of any construction activities on the subject property, to be reviewed/approved administratively.
6. The off-street parking lot shall be constructed and operated in compliance with the applicable code standards, to be reviewed/approved administratively as part of the grading permit.
7. The location and design of any on-site security fencing shall be constructed in compliance with all applicable zoning and fire code standards, to be reviewed/approved administratively.
8. Compliance with the conditions included in the Fire Chief’s memorandum, dated 07/30/2019.
9. Compliance with the conditions included in the City Engineer/Public Works Director’s memorandum, dated 08/21/2019.
10. Compliance with Ramsey-Washington Metro Watershed District permit requirements and procedures, with evidence of approvals provided to the City prior to issuance of applicable permits.”

Ayes – 4  Nays - 0

The resolution was adopted.
C. **Consider Setting Tuesday, September 10 and September 17, 2019 Workshops and Agendas:**

City Administrator Watson noted that the next Regular Council Workshops will be held on Tuesday, September 10, 2019 (to continue discussion of the draft 2020 Budget) at 3:00 p.m. at City Hall, and on Tuesday, September 17, 2019 (to continue discussion of the draft 2020 Budget, if needed, and an update from Ramsey County on the Vadnais Dome replacement project and next steps) at the regular time of 5:30 p.m.

**COUNCIL AND DEPARTMENT REPORTS**

Finance Director Sundberg said that it is the time of year to certify outstanding utility accounts to the property taxes.

Public Works Director Farrell noted that the 2019 street reconstruction project has been completed and the Buerkle Road project is scheduled to occur in mid-September.

Planning/Community Development Director Wall noted that the Planning Commission held a meeting on August 27 and discussed amendments to the Subdivision Ordinance. Staff will review the ordinance with the Parks Commission at their September meeting. The changes will come before the Council for consideration at a future meeting.

Assistant City Administrator Sandvik noted that the Koehler Road Task Force meets on September 9th and the Parks and Trail Commission will meet on September 16th. Sandvik said that the Organics Collection drop-off site should be opening soon.

City Administrator Watson anticipates bringing forth for approval various contracts with other entities to get our new system up and going after leaving the Cable Commission.

A motion to adjourn was made by Council Member Johnson at 7:45 p.m. Meeting adjourned.

Respectfully submitted,

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Kevin Watson, City Administrator