Note: Items 7A and 7B have been revised to reflect a change to the recommendation. Please disregard all previous versions of this agenda. Thank you.

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Please note that all agenda times are estimates.

1. Call to Order
2. Pledge to Flag
3. Roll Call
4. Special Order of Business - 7:02 p.m.
   4A. Presentation of Community Support Dog from Woodbury Police K9 Fund to City Council
5. Open Forum - 7:07 p.m.

The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting and give the sign-up sheet to any staff person, or may also submit a question or comment virtually via the Q&A chat feature on the right side of the live event screen. Please provide your name and address with your question for the official record. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.
6. Consent Agenda - 7:12 p.m.

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.

6A. Approval of Minutes - December 8, 2021

6B. Approval of Minutes - December 16, 2021 Special Meeting

6C. Manning Meadows House Move; Amended Site and Building Plan, Project No. 25-2021-00463

Staff recommends Council approve the Manning Meadows House Move Amended Site and Building Plan, Project No. 25-2021-00463; subject to the conditions as outlined in Council Letter 22-01.

6D. Minnesota Department of Natural Resources Conservation Partners Legacy Grant; Accepting Grant; Approving Budget Adjustment

Staff recommends Council adopt RESOLUTION 22-01, a resolution accepting grant funds in the amount of $300,000 from the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant Program to the City of Woodbury, and approving the appropriate budget adjustment.

6E. Accepting Minnesota Department of Natural Resources Conservation Partners Legacy Grant for Savanna Oaks Park and Approving Budget Adjustment

Staff recommends Council adopt RESOLUTION 22-02, a resolution accepting grant funds in the amount of $50,000 from the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant Program to the City of Woodbury, and approving the appropriate budget adjustment.

6F. Approve Acquisition of Easements; Edgewood Avenue – Battle Creek Lake Culvert Replacement

Staff recommends Council adopt:

1. Resolution 22-03, a resolution authorizing acquisition in the amount of $2,789.24 for easements in Lot 28, Block 11, Woodbury Heights No. 3 from James E. Houska and Lydia M. Houska for the drainage and municipal utility easements and temporary construction easement; and
2. Resolution 22-04, a resolution authorizing acquisition in the amount of $12,265.94 for easements in Lot 35, Block 8, Woodbury Heights No. 3
from Joshua E. Anderson for the drainage and municipal utility easements; and

3. Resolution 22-05, a resolution authorizing acquisition in the amount of $12,589.75 for easements in Lot 27, Block 11, Woodbury Heights No. 3 from Michael W. Breneman and Elizabeth E. Breneman for the permanent drainage and municipal utility easements and temporary construction easement; and

4. Resolution 22-06, a resolution authorizing acquisition in the amount of $5,473.08 for easements in Lot 34, Block 8, Woodbury Heights No. 3 from Miguel Villegas and Amy Villegas for the permanent drainage and municipal utility easements.

6G. Joint Powers and Construction Cooperation Agreement for Construction of Gold Line BRT Project and Concurrent Non-Project Activities Requested by City of Woodbury; Approve Agreement

Staff recommends Council adopt RESOLUTION 22-07, a resolution approving the Joint Powers and Construction Cooperation Agreement for Construction of Gold Line BRT Project and Concurrent Non-Project Activities Requested between the City of Woodbury and Metropolitan Council for Construction of City requested watermain replacement, pavement rehabilitation, multi-use trail and enhanced landscaping and lighting projects constructed in coordination with the METRO Gold Line BUS Rapid Transit (BRT) project.

6H. Approving the Agreement with Washington Conservation District for the East Metro Water Resources Education Program

Staff recommends Council adopt RESOLUTION 22-08, a resolution approving the agreement with the Washington Conservation District for the East Metro Water Resources Education Program.

6I. Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements; Authorize Use of Phase Two – Major Roadway Special Assessment Fund; Authorize Use of Trunk Water and Sanitary Sewer Fund; Consultant Selection; Authorize Preparation of Preliminary Report; Authorize Preparation of Plans and Specifications

Staff recommends Council adopt RESOLUTION 22-09, a resolution authorizing the Mayor and City Administrator to appropriate funds from the Phase Two – Major Roadway Special Assessment Fund; Trunk Water and Sanitary Sewer Fund; execute an engineering consulting services contract with Bolton & Menk, Inc. for design and construction administration for the preparation of a preliminary report and preparation of plans and specifications for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements.

6J. Memorandum of Understanding with South Washington Watershed District- Hassenbank Woods and Fish Lake Vegetation Management and Restoration

Staff recommends Council adopt RESOLUTION 22-08, a resolution authorizing the Mayor and City Administrator to appropriate funds from the South Washington Watershed District for the Hassenbank Woods and Fish Lake Vegetation Management and Restoration.
Staff recommends Council adopt RESOLUTION 22-10, a resolution authorizing execution of the Memorandum of Understanding with South Washington Watershed District for Hassenbank Woods and Fish Lake Vegetation Management and Restoration.

6K. Authorizing Acceptance of Replacement Municipal Well and Well 1 Abandonment Grant from Minnesota Pollution Control Agency and Approval of Budget Amendment to the Water and Sewer Utility Fund

Staff recommends Council adopt RESOLUTION 22-11, a resolution authorizing acceptance of replacement Municipal Well and Well 1 Abandonment Grant from Minnesota Pollution Control Agency in the amount of $2,983,000 and approval of budget amendment to the Water and Sewer Utility Fund.

6L. Valley Creek Streamflow Measurement Oversight and Groundwater Monitoring and Reporting for the East and South Well Field Consultant Selection

Staff recommends Council adopt RESOLUTION 22-12, a resolution authorizing the Mayor and City Administrator to execute a contract with LimnoTech as the City’s consultant and engineering firm for services associated with Valley Creek streamflow measurement oversight and groundwater monitoring and reporting for the east and south well fields.

6M. Acceptance of $7,475 donation from Woodbury Police K9 Fund for the Community Support Dog and Approval of 2021 Budget Amendment

Staff recommends Council adopt RESOLUTION 22-13, a resolution authorizing the acceptance of the $7,475 donation from the Woodbury Police K9 Fund for the community support dog and amending the 2021 Police Services Division Budget.

6N. Acceptance of Gift of $235 Cash donated by the Family and Friends of Rosalie May Wyss Halverson

Staff recommends Council adopt RESOLUTION 22-14, a resolution authorizing the acceptance $235 from the family and friends of Rosalie May Wyss Halverson to the City of Woodbury.

6O. Amendment to MLC Joint and Cooperative Agreement

Staff recommends Council adopt RESOLUTION 22-15, a resolution approving the proposed form of amended and restated Joint Cooperative Agreement, and authorizing the Mayor and City Administrator to sign the Certificate of Approval of Amendments to Joint and Cooperative Agreement.
6P. Designating Depository of Public Funds

Staff recommends Council adopt a motion designating CorTrust Bank as the City’s depository of public funds for the year 2022.

6Q. Approval of Labor Contract between the City of Woodbury and the Woodbury Police Officers Association

Staff recommends Council adopt RESOLUTION 22-15, a resolution approving the labor contract between the City of Woodbury and the Woodbury Police Officers Association and authorize required signatures.

6R. Approval of Labor Contract between the City of Woodbury and the International Union of Operating Engineers, Local 49

Staff recommends Council adopt RESOLUTION 22-16, a resolution approving the labor contract between the City of Woodbury and the International Union of Operating Engineers, Local 49 and authorize required signatures.

6S. Consideration of the Non-Disciplinary Employment Removal of Tim Thurmes

Staff recommends Council adopt RESOLUTION 22-17, a resolution accomplishing the non-disciplinary employment removal of Tim Thurmes as Streets Manager effective January 12, 2022.

6T. Abstract of Bills

The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the Mayor and City Administrator are hereby approved.

Staff recommends approval of the abstract of bills for December 3, 2021 in the amount of $1,219,102.34, December 10, 2021 in the amount of $1,693,751.72, December 17, 2021 in the amount of $1,199,380.36, December 23, 2021 in the amount of $993,048.88 and December 30, 2021 in the amount of $201,361.71.

7. Public Hearings - 7:17 p.m.

7A. Wooddale Fun Zone Conditional Use Permit, Project No. 18-2021-00465

1. Open Hearing
2. Close Hearing
3. The Planning Commission will review this application at their January 10, 2022 meeting. Findings from the meeting and recommended conditions of approval will be provided via a supplemental Council Letter. Staff recommends Council approve the Conditional Use Permit
(CUP) via RESOLUTION 22-21, a resolution adopting the findings of fact, project number 18-2021-00465, subject to all the conditions as outlined in Supplemental Council Letter 22-18.

7B. Vacate Easement within Lot 1, Block 1, Brookview Road School 22-19

1. Open Hearing
2. Close Hearing
3. Staff recommends Council adopt RESOLUTION 22-19, a resolution authorizing to vacate the vacation of the drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota. Said vacation of the existing easement shall be conditional upon the recording of the new drainage and utility easement and dedication to the City.

7C. Lake Road 4-3 Lane Conversion Project; Approve Preliminary Report; Order Project; Authorize Preparation of Plans and Specifications; Authorize Preparation, Acquisition and if Necessary Condemnation of Easements 22-20

1. Open Hearing
2. Close Hearing
3. Staff recommends Council adopt RESOLUTION 22-20, a resolution approving the preliminary report, ordering the project, authorizing preparation of plans and specifications and authorizing preparation, acquisition and, if necessary, condemnation of easements for the Lake Road 4-3 Lane Conversion Project.

8. Discussion - 8:00 p.m.

No Items Scheduled

9. Staff Reports - 8:00 p.m.

9A. Transportation Report (2nd meeting of the month – May through October)

9B. City Administrator's Report

10. Adjournment - 8:05 p.m.

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7C. Lake Road 4-3 Lane Conversion Project; Approve Preliminary Report; Order Project; Authorize Preparation of Plans and Specifications; Authorize Preparation, Acquisition and if Necessary Condemnation of Easements 22-20

1. Open Hearing
2. Close Hearing
3. Staff recommends Council adopt RESOLUTION 22-20, a resolution approving the preliminary report, ordering the project, authorizing preparation of plans and specifications and authorizing preparation, acquisition and, if necessary, condemnation of easements for the Lake Road 4-3 Lane Conversion Project.

8. Discussion - 8:00 p.m.

   No Items Scheduled

9. Staff Reports - 8:00 p.m.

   9A. Transportation Report (2nd meeting of the month – May through October)

   9B. City Administrator’s Report

10. Adjournment - 8:05 p.m.

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Pursuant to the due call and notice thereof, a regular meeting was duly held virtually and at the Woodbury City Hall, 8301 Valley Creek Road, on the 8th day of December 2021.

Call to Order

Mayor Anne Burt called the meeting to order at 7:30 p.m.

Mayor Burt welcomed those listening and attending. She said members of the public may attend the meeting but will be required to comply with social distancing parameters as determined by the City. Members of the public may also join the meeting using a PC, Mac, iPad, iPhone or Android device. Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting. Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. via email council@woodburymn.gov or call 651-714-3524 and leaving a voicemail message.

Pledge of the Flag

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

Roll Call

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Kim Wilson, Andrea Date, Steve Morris, and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Mary Tietjen, City Attorney; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; and Chris Hartzell, Engineering Director; and Michelle Okada, Parks & Recreation Director.

Special Order of Business

A. Report on November 17, 2021 Closed Session Regarding Labor Negotiations

City Attorney Mary Tietjen reviewed the November 17, 2021 Closed Session related to labor negotiations strategy. She added City Staff received strategic direction from the City Council. She noted the Closed Session was attended by the Mayor and City Council, the Human Resources Manager, and Assistant City Administrator Angela Gorall.

B. Report on November 17, 2021 Closed Session Regarding City Administrator Performance Review

Ms. Tietjen reviewed the November 17, 2021 Closed Session related to the annual performance review for City Administrator Clint Gridley. She added the Closed Session was attended by the Mayor, City Council, City Attorney Mary Tietjen, and Chad Weinstein from Ethical Leaders in Action, Inc., a City-engaged consultant. She noted the review of the City Administrator was highly satisfactory.

Open Forum

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Discussion

A. Truth in Taxation Public Meeting: 2022 Property Tax Levy and Budget

City Administrator Clint Gridley reviewed the budget development process including the City’s guiding principles for budget development. Budget update information was provided in the City newsletter, and Truth-in-Taxation notices were sent. A public meeting was held to receive public input before adoption of the final budget. City Staff continue to ensure transparency and accountability with performance measurements, including a new online dashboard.

Mr. Gridley stated the City’s biannual residents’ survey last conducted 3 years ago had high overall citizen satisfaction. The City of Woodbury received a number of accolades, including a Triple A bond rating that has been held since 2009 and is the highest level of rating for performance management.

Mr. Gridley stated the City faces issues related to community growth, rates of unemployment, and areas of risk, including; cybersecurity; faithful performance; intergovernmental revenues; unfunded liabilities; public pensions; liability claims; mandates from the State and federal government; General Fund revenue diversification; and Metropolitan Fiscal Disparity Program.

Mr. Gridley stated the 2022 budget details include City funds and programs, as well as funding and expenditures. He reviewed five expenditure drivers: personnel costs; business standards and requirements; rising inflation and other costs; service demands and infrastructure and asset replacement.

Mr. Gridley stated impact to the median value home in Woodbury is 2.7%, or $30, compared to $41 last year. The tax rate is decreasing by .5%, and the change in the property tax levy is 5.5%. He reviewed residential city property tax changes for specific properties in Woodbury.

Mr. Gridley stated property values, set by Washington County, do not create the tax burden, but rather are used to distribute the tax burden. He added the City levy is fixed and does not change based on fluctuations in property valuation.

Mr. Gridley stated City Staff recommends City Council adoption of various fund budgets, setting tax levies and canceling various debt levies for next year.

Mayor Burt thanked Mr. Gridley for his presentation.

Mayor Burt moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 21-217 through Resolution 21-244

Resolution of the City of Woodbury, Washington County, Minnesota approving the various fund budgets, sets the tax levies and cancels various debt levies for next year.

Voting via voice:

Kim Wilson – no
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Consent Agenda

Councilmember Morris requested that Agenda Item 7J be moved to Discussion.

Councilmember Wilson requested that Agenda Item 7O be moved to Discussion. She requested that Agenda Items 7AC and 7AE be moved to Discussion as she plans to vote differently.

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.

Item A Approval of Minutes – November 10, 2021

Item B Approval of Minutes – November 17, 2021
Item C 
To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota awarding a contract with Flagship Recreation / Landscape Structures Inc., in the amount of $274,967.84, for the Valley Creek Park playground project and authorizing the Mayor and City Administrator to sign said contract.

Item D 
To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the acceptance of gift sponsorship donations totaling $20,050 from various Woodbury businesses and individuals.

Item E 
To adopt a motion approving The Hartung Farm, Final Plat, Project No. 35-2021-00461. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 21-292.

1. All conditions of Planned Unit Development and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements to match the utility plans being prepared by the City’s consultant engineer.
3. The final street names shall be reviewed and approved by the Chief Building Official.
4. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code.
5. Prior to the release of the Final Plat, a Developer Agreement shall be executed.
6. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
7. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney’s plat opinion.
8. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements within the plat boundary shall be granted to the City at no cost or paid for by the Developer.
9. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.
10. The Final Plat shall be recorded prior to issuance of a building permit.
11. Park dedication shall be paid in cash in lieu of land dedication. Payment shall be made prior to the release of the Final Plat.

Item F 
To approve the Sham’s Place, Final Plat, Project No. 10-2021-00469. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 21-293.

1. All conditions of Planned Unit Development and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements to match the utility plans being prepared by the City’s consultant engineer.
3. Prior to the release of the Final Plat, a Developer Agreement shall be executed.
4. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
5. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney’s plat opinion.
6. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements within the plat boundary shall be granted to the City at no cost or paid for by the Developer.
7. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.
8. Prior to the issuance of a building permit, Outlot A shall be dedicated to the City at no cost.
9. The Final Plat shall be recorded prior to issuance of a building permit.
10. Prior to the issuance of a right-of-way (ROW) permit, the Applicant shall provide a recorded cross access easement that memorializes shared access and maintenance for the driveway.
11. Park dedication shall be paid in cash in lieu of land dedication. Payment shall be made prior to the release of the Final Plat.

Item G 
To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota changing property address from 11497 Brookview Road to 1118 Conifer Pass.

Resolution 21-245

Resolution 21-246

Resolution 21-247
Item H  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota accepting Highway Safety Improvement Project (HSIP) Grant in the amount of $1,620,000.

Item I  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the use of the Central District Trunk Storm Sewer Fund in 2021 for the Flood Risk Reduction Grant Program.

Item J  
Stop Sign Installation: Intersection of Plymouth Road and Bailey Lake Drive. This item was pulled from the Consent Agenda and moved to discussion

Item K  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota establishing a public improvement hearing date of January 12, 2022, for the Lake Road Rehabilitation and 4-3 Lane Conversion Project.

Item L  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota accepting Metropolitan Council’s Environmental Services 2019 Clean Water Efficiency Grant Amendment in the amount of $13,000 and approving the associated budget amendment.

Item M  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota authorizing acceptance of up to $2,401,061 in grant funds from the Minnesota Pollution Control Agency to reimburse the City’s expenses for implementation of the long-term water treatment plant preliminary engineering report and pilot study and approving a budget amendment to the Water and Sewer Utility Fund (Enterprise Fund).

Item N  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute a contract with Advanced Engineering and Environmental Services, LLC as the City’s consultant and engineering firm for services associated with the long-term water treatment plant preliminary engineering report and pilot study.

Item O  
Annual Update to the Fee Schedule for 2022. This item was pulled from the Consent Agenda and moved to discussion.

Item P  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the calling for redemption of General Obligation Improvement Bonds, Series 2011A.

Item Q  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota accepting Toward Zero Deaths (TZD) Traffic Safety Enforcement Grant from the Minnesota Department of Public Safety, Office of Traffic Safety.

Item R  
To adopt the following resolution  

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the acceptance of grant funds from the U.S. Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership Program.
Item S  To adopt the following resolution

Resolution 21-257

Resolution of the City of Woodbury, Washington County, Minnesota approving the designation of polling places for 2022 elections and all subsequent elections until changed by the City Council of the City of Woodbury.

Item T  To approve an Addendum to Recording Secretary Service Agreement for Transcription Services in 2022.

Item U  To adopt a motion approving the 2022 City Council meeting calendar as listed in Council Letter 21-308.

<table>
<thead>
<tr>
<th>Month</th>
<th>Type of Meeting</th>
<th>Start Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 13</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>April 20</td>
<td>Workshop meeting</td>
<td>6:30 p.m.</td>
</tr>
<tr>
<td>April 27</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>May 11</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>May 18</td>
<td>Workshop meeting</td>
<td>6:30 p.m.</td>
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<tr>
<td>May 25</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>June 8</td>
<td>Schedule consent agenda only Council meeting</td>
<td>6:30 p.m.</td>
</tr>
<tr>
<td>June 8</td>
<td>Schedule council workshop</td>
<td>6:40 p.m.</td>
</tr>
<tr>
<td>June 15</td>
<td>Workshop meeting</td>
<td>Canceled</td>
</tr>
<tr>
<td>June 29</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>July 13</td>
<td>Regular meeting</td>
<td>Canceled</td>
</tr>
<tr>
<td>July 20</td>
<td>Workshop meeting</td>
<td>6:30 p.m.</td>
</tr>
<tr>
<td>July 27</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>August 10</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
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<tr>
<td>August 17</td>
<td>Workshop meeting</td>
<td>6:30 p.m.</td>
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<tr>
<td>August 24</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>September 7</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>September 14</td>
<td>Budget workshop meeting</td>
<td>4:00 p.m.</td>
</tr>
<tr>
<td>September 21</td>
<td>Regular meeting</td>
<td>Canceled</td>
</tr>
<tr>
<td>September 28</td>
<td>Schedule regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>October 12</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>October 19</td>
<td>Workshop meeting</td>
<td>6:30 p.m.</td>
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<tr>
<td>October 26</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>November 5</td>
<td>Council Advisory Commission Interviews</td>
<td>8:00 a.m.</td>
</tr>
<tr>
<td>November 9</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
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<tr>
<td>November 16</td>
<td>Workshop meeting</td>
<td>6:30 p.m.</td>
</tr>
<tr>
<td>November 24</td>
<td>Cancel regular meeting</td>
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</tr>
<tr>
<td>November 30</td>
<td>Schedule regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>December 14</td>
<td>Regular meeting</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>December 21</td>
<td>Workshop meeting</td>
<td>Canceled</td>
</tr>
<tr>
<td>December 28</td>
<td>Regular meeting</td>
<td>Canceled</td>
</tr>
</tbody>
</table>

Item V  To adopt a motion designating the St. Paul Pioneer Press as the City's official newspaper for the year 2022 effective January 1, 2022.

Item W  To adopt a motion appointing the persons, as listed within Council Letter 21-310, to City Advisory Commissions as well as appointment of Chairpersons and Vice Chair Persons (Chair and Vice Chair appointments are for one year) to each Advisory Commission, effective January 1, 2022. Staff further recommends that Council approve the 2022 Council liaison and staff assignments as listed within Council Letter 21-310.

List of Commission Appointments

<table>
<thead>
<tr>
<th>Commission</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>Shannon Olsen – Chair</td>
<td></td>
</tr>
<tr>
<td>John Jarrett – Vice Chair</td>
<td></td>
</tr>
<tr>
<td>David Hoelzel – New three-year appointment</td>
<td>12-31-24</td>
</tr>
<tr>
<td>Sathyamohan Gavvagi – New three-year appointment</td>
<td>12-31-24</td>
</tr>
<tr>
<td>Stephanie Haacke – New three-year appointment</td>
<td>12-31-24</td>
</tr>
<tr>
<td>Sahithi Polavarapu – Student one year appointment</td>
<td>12-31-22</td>
</tr>
<tr>
<td>Hunter Hakkila – Student one year appointment</td>
<td>12-31-22</td>
</tr>
<tr>
<td>Audit and Investment</td>
<td></td>
</tr>
</tbody>
</table>
City Council Meeting Minutes  
Wednesday, Dec 8, 2021

Blake Darsow – Chair  
John Lehman – Vice Chair  
Annmarie Weiser – New three-year appointment 12-31-24  
Frank Gilbertson – New three-year appointment 12-31-24  
Alec Sonsteby – New three-year appointment 12-31-24  
Cody Groth – New three-year appointment 12-31-24  

Parks and Natural Resources  
Greta Bjerkness – Chair  
Arin Kurttila – Vice Chair  
Timothy Brewington II – Reappointment three year 12-31-24  
Deborah Musser – Reappointment three year 12-31-24  
Wallace Wadd – New three-year appointment 12-31-24  
Brandon Mersch – Student one year appointment 12-31-22  
Emerson Siefken – Student one year appointment 12-31-22  

Economic Development  
Craig Johnson – Reappointment three year and Chair 12-31-24  
Kimberly Moore – Vice Chair  
Pam Morke – Reappointment two-year term 12-31-23  
Bill Routt – Reappointment three-year term 12-31-24  
Jenny DeMaria – New appointment three-year term 12-31-24  
Ruth Godfrey – New appointment three-year term 12-31-24  

South Washington Watershed  
Brian Johnson – Reappointment 12-31-24

Item X To adopt a motion to amend the Tobacco Sales license to reflect the assumed name change of Maze Enterprises, Inc. dba Woodbury Shell to Maze Enterprises, Inc. dba Woodbury BP.

Item Y To adopt the following ordinance  
Ordinance 2012  
Ordinance of the City of Woodbury, Washington County, Minnesota, providing that the City Code be amended amending Chapter 2, Administration, Article II City Council, Section 2-22 Meetings-Generally.

Item Z To adopt the following resolution  
Resolution 21-258  
Resolution of the City of Woodbury, Washington County, Minnesota creating the position of Environmental Resources Technician, placing the position in Grade 4 of the Woodbury Classification Plan and appointing Heidi Quinn to the position of Environmental Resources Technician effective December 9, 2021.

Item AA To adopt the following resolution  
Resolution 21-259  
Resolution of the City of Woodbury, Washington County, Minnesota appointing Luke Beaudoin, Andrew Atwater, Zachary Haugen and Spencer Gease to the position of Firefighter effective January 1, 2022.

Item AB To adopt the following resolution  
Resolution 21-260  

Item AC 2022 Classification and Compensation Plan for Unrepresented Employees. This item was pulled from the Consent Agenda and moved to discussion.

Item AD To adopt the following resolution  
Resolution 21-261  
Resolution of the City of Woodbury, Washington County, Minnesota authorizing approving the Settlement Agreement with Savanna Oaks Coach Homes Association, Inc. for a utility overpayment.

Item AE To adopt a motion approving the proposed 2022 Woodbury Legislative Program. This item was pulled from the Consent Agenda and moved to discussion.
Item AF
To adopt a motion to approve the abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the mayor and City Administrator is hereby approved. Staff recommends approval of the abstract of bills for November 12, 2021 in the amount of $2,968,750.60 and November 24, 2021 in the amount of $348,866.53.

Councilmember Date moved, seconded by Councilmember Morris, to approve Consent Agenda items 7A-7AF, with the exception of 7J, 7O, 7AC and 7AE.

Voting via voice:
- Kim Wilson – aye
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

Public Hearings

A. Donovan Ventures, LLC dba Cilantro Restaurant, 10150 Hudson Road, Suite 122; On Sale Intoxicating Liquor License including Sunday and Patio Sales

Mayor Burt declared the public hearing open.

City Clerk Kim Blaeser reviewed a request for an on-sale intoxicating liquor license including Sunday and patio sales from Donovan Ventures, LLC dba Cilantro Restaurant to be located at 10150 Hudson Road, Suite 122.

Ms. Blaeser stated City staff recommends approval of the on-sale intoxicating liquor license for Cilantro Restaurant.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Date moved, seconded by Councilmember Santini, to approve an On Sale Intoxicating Liquor License including Sunday and Patio Sales to Donovan Ventures, LLC dba Cilantro Restaurant located at 10150 Hudson Road, Suite 122.

Voting via voice:
- Kim Wilson – aye
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

B. Copper Hills; Rezoning; Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 33-2021-00455

Mayor Burt declared the public hearing open.

Community Development Director Janelle Schmitz reviewed a request for rezoning, Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan approval for the Copper Hills development (Case No. 33-2021-00455). The property is currently zoned R-1, and is located on south side of Dale Road, east of Radio Drive. The applicant is requesting that the property be rezoned to R-4. The property is guided as low density on the Comprehensive Land Use Plan and is included in Phase 2-C which was recently opened for development.

Ms. Schmitz stated the developer is proposing 112 single family units and 70 multi-family units on 71.22 acres. The property is guided by the South of Dale Master Plan, which guides development decisions in this area related to infrastructure needs. The development closely follows the Master Plan and is consistent with the goal of delivery of both single family and multi-family housing options.

Ms. Schmitz stated the developer is requesting a PUD with a reduction in lot width for single family units from 80 feet wide to 65 feet wide, as well as front yard setback from 35 feet to 25 feet. This request is consistent with flexibility that has been allowed in other developments through the PUD process. In exchange for this flexibility, the developer will provide a trail network throughout the development and will providing grading and stormwater management for the park.
Ms. Schmitz stated the proposed development would include 112 single family lots that would be a minimum of 65 feet wide and 130 feet deep, as well as 70 multi-family townhome units. The townhomes would have 2-car garages and adequate parking space in the driveway for two more cars. Guest parking is planned throughout the townhome development, along the drives and at their terminus.

Ms. Schmitz stated the developer is proposing five access points to the development including two entrances off Dale Road to the north that line up with existing streets. A future access point is planned from Radio Drive as well as a new Minnesota State Aid (MSA) roadway through the development. The connection to Radio Drive will likely not occur until the Radio Drive Improvement Project is completed.

Ms. Schmitz stated the developer has identified space for 2.6-acre park in the development’s southwest corner to create a gateway feature, as well as a trail and sidewalk network within the development. These features are consistent with guidance from the South of Dale Master Plan as well as the City’s pedestrian and bike plan. Stormwater management is guided by the Master Plan, with the multiple basins on the site.

Ms. Schmitz stated the applicant is proposing an on-site reuse system for a portion of the single-family homes in the development. The reuse system meets all stormwater requirements, and is an exciting proposal, as this will be the first single-family development to utilize a reuse system.

Mayor Burt asked whether irrigation systems will pull from the reuse system. Ms. Schmitz confirmed this, adding there will be a back-up system in place to pull from City water if necessary. She added the proposed reuse system would provide a benefit to the City in terms of groundwater conservation.

Planning Commissioner John Jarrett stated the Planning Commission felt that this was a beautiful development. He added a neighborhood meeting was held July 15, 2021, and 11 neighbors attended, expressing concerns about traffic and construction on Dale Road as well as trail connections. He noted the proposed reuse of water is very exciting.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Date stated she is excited about the proposal for reuse of water. She asked how that will work for the residents, and whether a separate association will be required.

Reid Schulz, D.R. Horton, 20860 Kenbridge Court, Lakeville, expressed his thanks to City Staff for their hard work on this application. He added that his company is currently reviewing ways to maintain the reuse system, by means of an HOA or covenants in the neighborhood. He noted it would be maintained to ensure the system is functional for the residents.

Councilmember Date asked whether residents will be charged the same rate for water as other City residents. Ms. Schmitz stated residents would only pay if they used water from the City’s system.

Mayor Burt asked whether residents would have the option choose whether they want the reuse system. Ms. Schmitz stated they would be required to participate as it is part of the stormwater management plan. She added calculations are quantified to ensure that the pond is sized adequately to serve the residential area identified, as well as to meet stormwater requirements of the City and Watershed District. She noted the secondary source being the City water, would be available when water levels are below a certain level.

Councilmember Morris asked whether this should be memorialized to ensure that plans are carried through. He asked how the system will be maintained.

Ms. Schmitz stated these types of details will be included in the operations and maintenance agreement.

Councilmember Morris stated he thinks it is a fantastic plan, but it is the City Council’s first time reviewing this kind of plan in a residential area. He stressed the importance of protecting the City.

Mayor Burt asked whether a reuse plan has been done for townhomes. Engineering Director Chris Hartzell stated this has been done for businesses near Hargis Parkway. He added he believes the reuse plan would be recorded on the homes’ property titles, as stormwater maintenance is a City requirement.

Mr. Hartzell stated stormwater management would not be the City’s responsibility as the pond will be located on private property, but there would be an operations and maintenance agreement.

Mr. Schulz stated D.R. Horton has completed many water reuse programs, working out partnerships for maintenance and ensuring that systems are maintained for the long term. He added D.R. Horton will work with City Staff to determine the most appropriate way to maintain the irrigation pond. He reiterated all details can be worked out with City Staff.
Councilmember Wilson asked how they will address odor that sometimes come from stagnant water in ponds.

Mr. Schulz stated the new location of the reuse pond, in the northeast corner of the development, will provide for more volume of water, which will encourage circulation. He added water filters can also be added if necessary.

Councilmember Wilson asked where the system will cross the road. Mr. Schulz stated the systems work with a pump and distribution system to the network of homes, with a separate line into the irrigation system.

Mayor Burt stated she likes the idea. She asked what are the benefits of the reuse system.

Mr. Hartzell stated the City must meet runoff and volume reduction requirements, so the reuse system is a benefit to the City as it recharges the groundwater aquifer. He added this evening’s agenda item is a preliminary plat, and many of the details mentioned by the City Council will be addressed and reviewed by the City Staff before the final plat.

Mayor Burt asked what other options are available if the reuse system is not pursued. Mr. Hartzell stated more ponding and more infiltration will be required to reduce volume.

Mayor Burt expressed concern, moving forward, about who will be responsible for ownership and maintenance of the system.

Councilmember Morris stated he would like to add a new condition to the approval related to a plan for long term maintenance and management of the reuse system.

Mr. Hartzell stated this is similar to what is required for other projects. He added this can be added to the conditions.

Planning Commissioner Jarrett stated there Condition #17 includes a 3-year maintenance requirement for the seeding and establishment of native areas in the stormwater ponding areas. He added the Planning Commission had similar questions and that there have been other examples of reuse systems installed in Woodbury since he joined the Planning Commission.

Councilmember Date stated she would like to reiterate the excitement over this development and the reuse system, which is a great opportunity. She added she sees great opportunities for the future, and this new system could be a model for other developments. She noted she does not feel the additional condition is necessary, but she will support the wishes of the City Council.

Mayor Burt asked whether there would be adequate parking in the townhouses portion of the development.

Ms. Schmitz stated there are several guest parking areas, and parking is also available at the end of the private streets that serve the buildings.

Councilmember Wilson asked whether the entrance off Radio Drive will be a full access intersection into the development. Ms. Schmitz confirmed that this was her understanding.

Councilmember Wilson stated that is concerning. She added there are no other full access streets onto Radio Drive right now, except at Ashford. She asked whether the intersection at Dale Road will be controlled in the future with either a traffic circle or a stoplight.

Ms. Schmitz stated Bailey Lake Road has a full access onto Radio Drive, just to the north of Dale Road, and that there are other full access points in accordance with the County’s spacing requirements.

Councilmember Santini stated City Staff had mentioned that the County is assessing the intersection of Radio and Dale. She added a resident who attended the Planning Commission meeting expressed concern about traffic on Dale Road. Mr. Jarrett confirmed that there was some discussion at the Planning Commission meeting that the County is looking at traffic control options for this intersection.

Mayor Burt stated Radio Drive reconstruction is not up for discussion right now.

Councilmember Wilson stated it should be discussed if there will be full access to Radio Drive for residents of the proposed development.

Mr. Hartzell stated the Radio Drive road improvement project is the County’s latest CIP, with the design study being slated for 2024 to 2025.

Councilmember Wilson asked whether there will be enough parking for the park. Ms. Schmitz stated the park is envisioned to be a small neighborhood park. She added the Parks & Recreation Department will be responsible for the park design.

Councilmember Morris expressed concern that the preliminary plat shows a baseball diamond in the park, which should not be included because then it is documented on the plat and becomes an expectation for future residents. He asked whether proposed park amenities and conceptual parking will be reviewed before the final plat review.
Ms. Okada confirmed this. She added the initial concept for parking is bump-ins on both sides of the park, and she is unsure whether a ballfield is in the plans. She noted City Staff hopes to have a park concept soon if this item is approved tonight.

Ms. Okada stated she agrees that the visual amenities in the park should be not be included in the preliminary plat. She noted City Staff intends to balance park amenities throughout the South of Dale Master Plan area.

Councilmember Date stated it appears that bump-in parking spaces near the park will be more than adequate.

Ms. Schmitz stated City Staff will continue to work on the concept for the park and be prepared to include this information with final plat.

Councilmember Wilson asked whether there will be a cut-through trail access to the park. Ms. Schmitz stated no cut-through access is proposed, as there is good pedestrian circulation within the development.

Councilmember Wilson requested clarification regarding the lot closest to the roundabout on the south end of the development. She asked whether that property’s driveway will enter into the roundabout. Ms. Schmitz stated that property’s driveway would be on the north side of the property on the other side of the median which is proposed at that location.

Councilmember Wilson stated D.R. Horton is a great builder. She added she is concerned about homes on the far edges of the development having access to the park. She noted the City supports parks and trails and connectivity, and there should be a better connection to the park to provide kid-friendly access through the neighborhood.

Councilmember Wilson stated she is concerned about the lot right by the roundabout, as well as parking for the townhomes.

Councilmember Morris noted the townhomes will have two car garages and space in the driveways for two more cars. He added parking is a valid concern, but in this case, there will be sufficient off-street parking. He noted this is the preliminary plat, and the City Council will review the final plat.

Councilmember Wilson stated she is concerned that, if the preliminary plat is approved, it will go forward the way it is currently drawn.

Ms. Schmitz stated the preliminary plat addresses density, layout of streets and lots, as well as other major components, which provides a basis for the final plat. She noted that the preliminary plat allows the developer to proceed with grading work, consistent with the layout of the preliminary plat.

Councilmember Morris asked whether the proposed driveway location and its proximity to the intersection meets engineering standards. Ms. Schmitz confirmed this.

Councilmember Wilson asked how the start of the intersection is determined since it is a roundabout.

Mr. Schulz stated the developer will work with the City Staff on details discussed tonight. He added they hope to keep the process moving forward and address these issues through conditions of approval rather than table this item.

Councilmember Date stated she does not feel this item should be tabled as there is enough direction to move forward. She added she is not in favor of adding more parking to the townhomes, as this would add impervious surface. She noted she agrees that park access is important, but this will not be the only park in the neighborhood, and there are sidewalks on every street so all residents can walk from every home to the park.

Councilmember Santini stated there are more locations in the city where driveways are close to intersections than they realize, but this probably seems different because it is one of the first times we’ve seen a driveway so close to a traffic circle.

Councilmember Date moved, seconded by Councilmember Morris,

To adopt the following Ordinance

Ordinance of the City of Woodbury, Washington County, Minnesota rezoning certain property from R-1, Urban Reserve District to R-4, Urban Residential District.

Voting via voice:

Kim Wilson – no
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 21-262

Resolution of the City of Woodbury, Washington County, Minnesota approving the Conditional Use Permit (CUP) and adopting findings of fact.

Mayor Burt stated she agrees with Councilmember Wilson that people will find a way to cut through the yards to get to the park. She added it would be beneficial to add a direct access to the park. Councilmember Morris agreed.

Councilmember Morris stated he would like to modify the motion to include a condition regarding park access and also add a condition regarding maintenance and management of the proposed stormwater reuse system as they had previously discussed. Councilmember Date agreed and requested that the motion be modified to reflect the added conditions.

Councilmember Morris moved, and seconded by Councilmember Santini,

To amend the motion adopting Resolution 21-262 approving the CUP to add the following conditions:

Condition 21:

Prior to the issuance of the Land Disturbance Permit, staff shall review and approve the HOA documents to ensure long term maintenance and management of all stormwater reuse systems. The required Operations and Maintenance Agreement shall also memorialize these obligations.

Condition 22:

Prior to approval of the Final Plat, additional pedestrian access shall be designed which provides access to the northeast portion of the park.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Date moved,

To adopt a motion approving the Copper Hills Planned Unit Development (PUD), Preliminary Plat and Site and Building Plan, Project No. 33-2021-00455, all subject to the conditions as outlined in Council Letter 21-320.

There was no second to the motion, and the Council discussed adding Conditions 21 and 22 to the approval of the PUD, Preliminary Plat and Site and Building Plan. Ms. Schmitz recommended that the added conditions be included in the motion to be consistent with the just approved CUP. Councilmember Date agreed.

Councilmember Morris moved, seconded by Councilmember Santini,

To amend the above motion to include Conditions 21 and 22 as previously added to the Resolution approving the CUP.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Discussion

A. Consent Agenda Item J. Stop Sign Installation: Intersection of Plymouth Road and Bailey Lake Drive

Councilmember Morris stated he pulled this item from the Consent Agenda as there has been concern in the neighborhood about the Traffic Control Committee’s decision to add a two-way stop at the intersection due to traffic volume. He added there is a high rate of speed and adding a stop sign will make the speeding issue worse. He noted he wants traffic control there, but he believes it is on the wrong sides.

Chris Hartzell stated City Staff have been monitoring that intersection since 2019, including 11 site visits. He added stop signs are not an effective speed control measure as generally there is 20% noncompliance. He noted there is a lot of high school cut through traffic, and the signal should be programmed with school hours. He noted a temporary dynamic speed limit sign as well as enforcement are recommended.

Councilmember Santini stated a four-way stop would make access less convenient and drivers would find another route.

Councilmember Date stated she is not in favor of more stop signs, as that will not solve the issue. She added she supports the recommendations of the City’s Engineers, as she follows their judgment and trusts their advice.

Councilmember Wilson asked what the stop signs are going in for. Mr. Hartzell stated the intent is to provide vehicle management at the intersection.

Councilmember Wilson stated it does not meet traffic control criteria. Mr. Hartzell stated it is very close to criteria.

Councilmember Wilson asked what the stop signs are going in for. Mr. Hartzell stated the intent is to provide vehicle management at the intersection.

Councilmember Wilson stated it does not meet traffic control criteria. Mr. Hartzell stated it is very close to criteria.

Chair Burt requested clarification regarding a device in the budget. Mr. Hartzell stated the City has budgeted for 6 temporary dynamic speed display signs, to be rotated around throughout the City and create speed awareness.

Councilmember Date asked why this administrative issue is being addressed by the City Council.

Mr. Gridley stated new stop signs must be reviewed by the City Council by Ordinance.

Councilmember Date stated this item could be tabled. Councilmember Wilson agreed. Councilmember Morris stated tabling the issue does not solve the problem.

Councilmember Wilson stated she respects engineers, but sometimes the situation looks different when you are living it or doing it every day. She added she did not know there was a Traffic Control Committee.

Mr. Gridley stated a two-way stop could be installed and monitored, and the other 2 sides could get a stop sign if necessary. He added it can be done on an incremental basis.

Mr. Hartzell stated, to answer Councilmember Wilson’s question, the Traffic Control Committee is an advisory group made up of staff from Engineering, Public Works and Public Safety to provide guidance on traffic issues.

Councilmember Date moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 21-263

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the installation of a two-way stop-controlled intersection with stop signs located on northbound and southbound Bailey Lake Drive at Plymouth Road.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

B. Consent Agenda Item O. Annual Update to the Fee Schedule

Councilmember Wilson stated she pulled this item as she intends to vote differently.
Councilmember Santini moved, seconded by Councilmember Date,

To adopt the following ordinance

Ordinance 2011

Ordinance of the City of Woodbury, Washington County, Minnesota providing that the City Code be amended by amending Sections 2-3, Fees for Various Services of Article I of Chapter 2, Administration.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Santini moved, seconded by Councilmember Morris, to authorize staff to publish the Summary of the Fee Ordinance in the City's designated official newspaper, the St. Paul Pioneer Press.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

C. Consent Agenda Item AC. 2022 Classification and Compensation Plan for Unrepresented Employees

Councilmember Wilson stated she pulled this item as she intends to vote differently.

Councilmember Santini moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 21-264

Resolution of the City of Woodbury, Washington County, Minnesota establishing the 2022 Classification and Compensation Plan for Unrepresented Employees.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

D. Consent Agenda Item AE. 2022 Legislative Initiatives

Councilmember Wilson stated she pulled this item as she intends to vote differently.

Councilmember Santini moved, seconded by Councilmember Date,

To adopt a motion approving the 2022 Legislative Program.

Voting in Favor: Date, Morris, Santini, Burt
Voting Against: Wilson
Absent: None

E. Central Park Remodel Project Funding Agreement with Washington County

Parks & Recreation Director Michelle Okada reviewed the Central Park Project agreement, for which City Staff is seeking City Council consideration of approval of a funding agreement with Washington County; and approval of design services, a pre-construction management contract and budget amendment for services through schematic design.

Ms. Okada reviewed project history, and action steps taken in 2021, including finalizing the scope and concept options and preparing Requests for Proposals (RFPs) for distribution. City Staff worked closely with legal advisors regarding specific contracts already in place and how to move the project forward.
Ms. Okada stated City Staff is seeking concurrent approval of contracts and a funding agreement by Library Park Association, the County Board And City Council. She added further evaluation will be necessary as future phases are brought forward.

Ms. Okada stated tonight’s approval would direct City Staff to authorize consulting services and agreements with regard to schematic design, pre-construction services, contingency and owner costs. She added City costs are based on current project cost estimates.

Councilmember Morris asked whether this constitutes other funding opportunities.

Ms. Okada stated, if the contracts are approved, the City will be able to sign contracts and adjust the timeline.

Ms. Okada stated City Staff recommends City Council approval of the funding agreement, design services and pre-construction management contract, and budget amendment for those services through the schematic design.

Councilmember Date stated she likes the insert as it is very helpful, and she is excited to see something different.

Councilmember Wilson asked whether the bonding bill is $15 million. Ms. Okada confirmed this, adding State bonding is generally a matching fund.

Councilmember Wilson asked whether there is a budget for this project. Ms. Okada stated Option A is based on necessary requirements, and Option B is additional items.

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 21-265

Resolution of the City of Woodbury, Washington County, Minnesota approving the Central Park Funding Agreement with Washington County for cost sharing related to professional services and owner costs related to the Central Park remodel project and authorizing the Mayor and City Administrator to sign said agreement.

Discussion during the motion:

Councilmember Wilson stated she is hesitant to support this as she has a problem with sending things out for bid when there is no budget in place.

Mr. Gridley stated, as outlined by Ms. Okada, this agreement will determine the scope of services and costs. He added there is not enough information yet to set a budget.

Councilmember Wilson stated the City could determine an amount with which it is comfortable to move the project forward.

Mr. Gridley stated this step is necessary to get an idea of costs and funding proposals.

Councilmember Morris stated this is a philosophical difference of approach. Councilmember Wilson agreed, adding this will be a levy. Mr. Gridley stated that is not known at this point.

Councilmember Santini asked for clarification regarding sales tax for materials. Mr. Gridley stated that is a legislative item that will need to be resolved.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

F. Central Park Improvements Project; Professional Design and Preconstruction Consulting Services; Consultant Selection; Amend 2021 Budget
Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution  

Resolution 21-266

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute a professional design and pre-construction consulting services agreement with HGA and Kraus-Anderson, for professional design and pre-construction services for the Central Park Improvements project and amending the 2021 Adopted Community Investment Fund budget.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

G. Approval of CD-ADMIN-1.1 Authorizations and Procedures for Personnel Management

Mr. Gridley reviewed three municipal constitutional constructs that are currently used in the State of Minnesota: Standard Plan (weak Mayor/Council); Plan B (Council/Manager); and Home Rule Charter. He added the City of Woodbury currently operates under the Standard Plan, and the City Council approves all personnel action, which reduces responsiveness and is increasingly burdensome and inefficient.

Mr. Gridley stated a fourth option that is currently recommended by City Staff is the designation of specified personnel authority be given to the City Administrator per policy. He added the City Administrator would have general control and supervision of all employees; appointment of all employees’ performance pay increases; salary freezes or decreases; and extension for employee probation periods. He noted the City Administrator would not terminate regular employees; appoint department heads; or create position classifications or positions.

Mr. Gridley stated City Staff recommends City Council adoption of Resolution 21-239 renaming and amending Council directive CD-ADMIN-1.1 Classification and Compensation plan Policy.

Councilmember Santini asked, under Section 3, why the Exclusion of Delegated Authority does not include termination. Mr. Gridley stated that could be added in, and its omission was not intentional.

Councilmember Morris requested the following amendment to the Resolution: the addition of “Termination” under Exclusions’.

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution  

Resolution 21-267


Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Additional Virtual Open Forum Comments

The additional virtual open forum is a portion of the Council meeting where the City Council will allow persons (maximum of three), attending the Council meeting virtually, to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to submit a question or comment virtually via the Q&A chat feature may do so on the right side of the live event screen. Please provide your name and address with your question for the official record.
Staff Reports

Mr. Gridley stated 2021 has been a big year for development in Woodbury. He added the last meeting of the year will be the EDC on December 14, 2021 at 8:00 a.m. in Ash North and South Conference Rooms. He thanked the City Council for their support throughout the past year. He noted he is proud to work for this special community, the citizens are fantastic, and City Staff are fabulous, and they make him proud every day to be a part of this community.

Mayor Burt expressed her appreciation to the City’s Commissioners, who help support the work of the City Council.

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 11:00 p.m.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Respectfully submitted,

_________________________________________
Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on January 12, 2022
Pursuant to due call and notice thereof, a special meeting was duly held virtually via Microsoft Teams Platform, as per the attached special meeting notice, on the 16th day of December 2021.

Call to Order

Mayor Anne Burt called the special meeting to order at 6:00 p.m. and noted the special meeting notice required by Minnesota Statute 13D.04 will be included in the official minutes of this meeting.

Pledge of the Flag

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

Roll Call

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Steve Morris, Jennifer Santini and Kim Wilson. Council Member Date was absent. Others Present: Kimberlee K. Blaeser, City Clerk and Scott Riggs, City Attorney.

Mayor Burt welcomed those attending the special meeting. She referred to the brochures that are located on the chairs entitled “Welcome to the Woodbury City Council Meeting” and noted there are Public Input Sign-Up Sheets, and invited audience members to sign them and give them to a staff member if they wished to comment during the meeting.

Discussion

A. Approving the Memorandum of Agreement (MOA) between the State of Minnesota and Local Governments and Authorizing Participating in National Opioid Settlements.

As requested by Mayor Burt, Attorney Riggs explained that the Minnesota Attorney General’s Office recently announced that an agreement had been reached that will govern how funds from recent settlements with opioid companies will be distributed in Minnesota. He explained that in order for the City to participate, the City Council will need to adopt a resolution authorizing a representative of the City to execute the Minnesota Opioids State-Subdivision Memorandum of Agreement and related participation forms. He stated that adoption of the resolution and subsequent execution of the forms need to be completed by January 2, 2022.

In response to a question from Mayor Burt, Attorney Riggs stated that the amount the State will receive and the City’s share of that have yet to be determined. He explained that signing the Memorandum of Agreement provides for the equitable distribution of proceeds to the State of Minnesota and to individual local governments from recent settlements in the national opioid litigation.

In response to Mayor Burt’s question about the process for disbursing payments, Attorney Riggs stated that he is unsure as to when the payments will be distributed as this is a national settlement and that it will take some time to disburse funds.

Council Members discussed the possible amount that could be distributed as well as allocation restrictions and if the City would be required to establish a special fund to hold the settlement money. Attorney Riggs explained that the Memorandum of Understanding provides this guidance as there are restrictions for use of the funds and that the City would need to establish a special fund.

Councilmember Santini moved, seconded by Council Member Morris,

To adopt the following resolution

Resolution 21-268

Resolution of the City of Woodbury, Washington County, Minnesota approving the Memorandum of Agreement (MOA) between the State of Minnesota and Local Governments and Authorizing Participation in National Opioid Settlements.

Voting via voice:

Kim Wilson - aye
Andrea Date - absent
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Adjournment

Mayor Burt moved and seconded by Councilmember Morris to adjourn the Special City Council meeting at 6:13 p.m.

Voting via voice:

- Kim Wilson - aye
- Andrea Date - absent
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

Respectfully submitted,

______________________________
Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on February 26, 2020
December 13, 2021

To: Kimberlee K. Blaeser, City Clerk

From: Anne W. Burt, Mayor

RE: Request for Special City Council Meeting

As required by Minnesota Statute 13D.04 – Notice of Meetings, this written statement is informing Kimberlee K. Blaeser, City Clerk, that a Special Meeting of the Woodbury City Council will be held on Thursday, December 16, 2021 at 6:00 p.m. for the purposes of discussing a memorandum of agreement between the State of Minnesota and Local Governments and Authorizing Participation in National Opioid Settlements.

The meeting will be held virtually via Microsoft Teams Platform.

This notice is given by order of Anne W. Burt, Mayor of the City of Woodbury.

[Signature]

Anne W. Burt, Mayor
December 13, 2021

Date

For City Clerk Use:

Per Minnesota Statute 13D.04 – Notice of Meeting, the City Clerk must email the request for a special City Council meeting to all City Council Members. This request for a special City Council meeting was emailed to City Council Members on (refer to attached email):

12.13.21 9:00 a.m.

Date Time

[Signature]
Kimberlee K. Blaeser, City Clerk
Mayor and Council Members:

As required by Minnesota Statute 13D.04 – Notice of Meetings, this email is being sent to the City Council informing you, per the attached letter from Mayor Burt, that there will be a Special Meeting of the Woodbury City Council on Thursday, December 16, 2021 at 6:00 p.m. for the purposes of discussing a memorandum of agreement between the State of Minnesota and Local Governments and Authorizing Participation in National Opioid Settlements. The meeting will be held virtually via Microsoft Teams platform.

Also, as required by Minnesota Statute, I will post notice of this special meeting on the City’s Official Public Bulletin Board located in the front lobby of Woodbury City Hall.

The special meeting will be scheduled on Council’s calendar today and the official virtual meeting link will be emailed to Council Members on Tuesday, December 14. Also on Tuesday, December 14, the agenda packet materials will be placed in Council’s December 10 iannotate folder.

Please let me know if you have questions.

Thank you.

Kim
NOTICE OF SPECIAL MEETING OF WOODBURY CITY COUNCIL

As required by Minnesota Statute 13D.04 – Notice of Meetings

NOTICE IS HEREBY GIVEN that the City Council of the City of Woodbury will hold a special meeting on Thursday, December 16, 2021 at 6:00 p.m. for the purpose of discussing a memorandum of agreement between the State of Minnesota and Local Governments and Authorizing Participation in National Opioid Settlements.

This special meeting will be held via Microsoft Teams Platform.

BY ORDER OF MAYOR ANNE W. BURT, MAYOR
Dated this 13th day of December, 2021

Kimberlee K. Blaeser
City Clerk

The City of Woodbury is subject to Title II of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability by public entities. The City is committed to full implementation of the Act to our services, programs, and activities. Information regarding the provisions of the Americans with Disabilities Act is available from the City Administrator's office at 651-714-3500. Auxiliary aids for disabled persons are available upon request at least 72 hours in advance of an event. Please call the ADA Coordinator, at 651-714-3500 (TDD 651-714-3568) to make arrangements.
Council Letter 22-01

Date: January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Manning Meadows House Move; Amended Site and Building Plan; Project No. 25-2021-00463

Summary

At the November 10, 2021 meeting, the Council granted Site and Building Plan approval for the Manning Meadows House Move. A condition of approval identified the approval would expire three months following the approval to ensure tree trimming occurred within the lowest risk season. Since that approval, the Applicant has received an initial date of February 22nd from Xcel Energy to move the adjacent power poles and lines. This date is outside of the established three-month expiration date which necessitates the need for this amended action. This proposed amendment only modifies the expiration date with all other conditions remaining in full force and effect.

Recommendation

Staff recommends Council approve the Manning Meadows House Move Amended Site and Building Plan, Project No. 25-2021-00463; subject to the following conditions:

1. All conditions from the November 10, 2021 approval, not expressly amended herein, shall remain in full force and effect.
2. This approval shall expire on March 15, 2022 unless an extension is granted by the City Council.

Fiscal Implications

All necessary improvements will be funded by the Applicant.

Policy

Chapter 24, Zoning

Public Process

First Neighborhood Meeting – August 9, 2021
Second Neighborhood Meeting – August 31, 2021
First Planning Commission Meeting – October 4, 2021 (Tabled)
Second Planning Commission Meeting – November 1, 2021
City Council Meeting – November 10, 2021
Background

The existing home located at 10350 Dale Road was built in 2011 and is being displaced due to future development of the property (Air Lake North). Rather than demolishing the home, the Applicant has acquired the home and requests to relocate the home to the property they own on Dale Road Court.

The logistics of the house move along Dale Road include tree pruning, limbing and trimming along with mitigation strategies to reduce impacts to the existing trees located within both the public Right-of-Way and on private property. One of the major mitigation strategies is dropping adjacent power poles to minimize impacts to specimen oak trees on the north side of Dale Road.

Written By: Dan Krumwiede, Planner 1
Approved Through: Eric Searles, Assistant Community Development Director/City Planner
Attachments: None
Council Letter 22-02

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Minnesota Department of Natural Resources Conservation Partners Legacy Grant; Accepting Grant; Approving Budget Adjustment

Summary

The Conservation Partners Legacy (CPL) Grant Program funds conservation projects that restore, enhance, or protect forests, wetlands, prairies, and habitat for fish, game, and wildlife in Minnesota. Funding for the CPL grant program is from the Outdoor Heritage Fund and is administered through the Minnesota Department of Natural Resources (DNR). The DNR requested applications for the Metro Grant Cycle in the fall of 2021. Woodbury was selected to receive $300,000 through the CPL program in December for the 2022-2025 grant cycle.

Recommendation

Staff recommends Council adopt the attached resolution accepting grant funds in the amount of $300,000 from the Minnesota Department of Natural Resources' Conservation Partners Legacy Grant Program to the City of Woodbury, and approving the appropriate budget adjustment.

Fiscal Impact

The City was awarded funds in the amount of $300,000 from the Department of Natural Resources Conservation Partners Legacy Fund with a required match of City funds in the amount of $30,000 (10%). The total project cost is $330,000. The 2022 Adopted Annual Budget includes sufficient funds in the amount of $300,000 from the Storm Water Utility Fund for the Valley Creek Park Vegetation Restoration Project. A budget amendment is necessary to account for the additional revenue and expense.

Policy

This project aligns with AD-FIN-4.3 – Grant Application and Management Policy and Environmental Stewardship from the Critical Success Factors Report.

Public Process

This is the first public process for this item.
Background

The CPL Grant Program (Metro) funds projects completed by government entities within the seven county metro area on public lands that protect, restore or enhance forests, wetlands, prairies and habitat for fish, game and wildlife. The grants are between $5,000 and $400,000 and require a 10 percent non-state match.

The application submitted to the DNR includes restoration work at Valley Creek Park to continue the rehabilitation project from the active park areas that are currently being completed to encompass the natural areas of the park. The restoration projects will reduce non-native plant cover and increase habitat quality for game and non-game species. The project is important for improving the natural benefits of the forested areas of Valley Creek Park, as well as multiple wetlands and the headwaters of the dedicated trout stream to Valley Creek within the park.

Written By: Kristin Seaman, Environmental Resources Specialist
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Accepting Grant Funds in the Amount of $300,000 from the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant Program to the City of Woodbury and Approving the Appropriate Budget Adjustment

WHEREAS, the City of Woodbury has prepared a grant proposal for the purpose of completing wildlife habitat restoration projects; and

WHEREAS, the Department of Natural Resources’ Conservation Partners Legacy Grant Program selected Woodbury to receive grant funding up to $300,000 for the Valley Creek Park project; and

WHEREAS, the City of Woodbury is required to provide a match of in-kind services totaling $30,000; and

WHEREAS, the Department of Natural Resources’ Conservation Partners Legacy Grant Program will support the City in providing assistance with the cost of the project through reimbursement of partial project cost; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant to the City of Woodbury is hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, to approve the following revenue increases to the 2022 Budget:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Utility Fund – State Grants &amp; Aids (525-000-00-00000-4352)</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expenditure increases be made:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Utility Fund – Professional Services - General (525-039-00-00000-5301)</td>
<td>$300,000</td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest:  

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator  (SEAL)
Council Letter 22-03

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Accepting Minnesota Department of Natural Resources Conservation Partners Legacy Grant for Savanna Oaks Park and Approving Budget Adjustment

Summary

The Conservation Partners Legacy (CPL) Grant Program funds conservation projects that restore, enhance, or protect forests, wetlands, prairies, and habitat for fish, game, and wildlife in Minnesota. Funding for the CPL grant program is from the Outdoor Heritage Fund and administered through the Minnesota Department of Natural Resources (DNR). The DNR requested applications for the Expedited Conservation Projects (ECP) Grant Cycle in the fall of 2021. Woodbury was selected to receive $50,000 through the CPL program in December for the 2022-2025 grant cycle for Savanna Oaks Park.

Recommendation

Staff recommends Council adopt the attached resolution accepting grant funds in the amount of $50,000 from the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant Program to the City of Woodbury, and approving the appropriate budget adjustment.

Fiscal Impact

The City was awarded funds in the amount of $50,000 from the Department of Natural Resources Conservation Partners Legacy Fund with a required match of City funds in the amount of $5,000 or 10 percent. The total project cost is $55,000. The 2022 Adopted Annual Budget includes the required $5,000 grant match for the 2022 Vegetation Management Project from the Storm Water Utility Fund. A budget amendment in the amount of $50,000 is necessary to account for the additional revenue and expense.

Policy

This project aligns with AD-FIN-4.3 – Grant Application and Management Policy.

Public Process

This is the first public process for this item.
Background

The CPL Grant Program funds projects completed by government entities within the seven county metro area on public lands that protect, restore or enhance forests, wetlands, prairies and habitat for fish, game and wildlife. The grants are between $5,000 and $50,000 and require a 10 percent non-state match.

The application submitted to the DNR includes restoration work at Savanna Oaks Park to enhance the native grassland communities that encompass the natural areas of the park. The restoration projects will reduce non-native plant and invasive brush cover and increase habitat quality for game and non-game species, as well as pollinators. The project is important for improving the natural benefits of the grassland areas of Savanna Oaks Park, as well as multiple wetlands within the park.

Written By: Heidi Quinn, Environmental Resources Technician
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Accepting Grant Funds in the Amount of $50,000 from the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant Program to the City of Woodbury and Approving the Appropriate Budget Adjustment

WHEREAS, the City of Woodbury has prepared a grant proposal for the purpose of completing wildlife habitat restoration at Savanna Oaks Park; and

WHEREAS, the Department of Natural Resources’ Conservation Partners Legacy Grant Program selected Woodbury to receive grant funding up to $50,000 for the Savanna Oaks Park project; and

WHEREAS, the City of Woodbury is required to provide a match of in-kind services totaling $5,000; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of the Minnesota Department of Natural Resources’ Conservation Partners Legacy Grant to the City of Woodbury is hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, to approve the following revenue increases to the 2022 Budget:

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</tr>
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<td></td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expenditure increases be made:

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</thead>
<tbody>
<tr>
<td>Stormwater Utility Fund – Professional Services - General</td>
<td>$50,000</td>
</tr>
<tr>
<td>(525-286-00-00000-5301)</td>
<td></td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-04

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approve Acquisition of Easements; Edgewood Avenue – Battle Creek Lake Culvert Replacement

Summary

The culvert and west retaining wall are failing and in need of replacement where Battle Creek runs under Edgewood Avenue. City staff has attempted to repair the wall for several years, but repairs are no longer feasible due to continued deterioration and poor condition. On October 14, 2020, SEH was authorized to prepare plans and specifications for the Edgewood Avenue – Battle Creek Lake Culvert Replacement Project. The necessary improvements were found to be much more extensive than originally programmed and there is a lack of existing drainage and utility easements to complete the repairs.

Four properties have been identified as requiring drainage and utility easements for construction. City staff met with all property owners to discuss the proposed project and necessary easements in the summer and fall of 2021. Easement offers were made using the Minimum Damage Acquisition process in accordance with Minnesota Statute.

Recommendation

Staff recommends the Council adopt attached resolutions authorizing acquisition of easements as follows:

1. In the amount of $2,789.24 for easements in Lot 28, Block 11, Woodbury Heights No. 3 from James E. Houska and Lydia M. Houska for the drainage and municipal utility easements and temporary construction easement; and
2. In the amount of $12,265.94 for easements in Lot 35, Block 8, Woodbury Heights No. 3 from Joshua E. Anderson for the drainage and municipal utility easements; and
3. In the amount of $12,589.75 for easements in Lot 27, Block 11, Woodbury Heights No. 3 from Michael W. Breneman and Elizabeth E. Breneman for the permanent drainage and municipal utility easements and temporary construction easement; and
4. In the amount of $5,473.08 for easements in Lot 34, Block 8, Woodbury Heights No. 3 from Miguel Villegas and Amy Villegas for the permanent drainage and municipal utility easements.
Fiscal Implications

The Adopted 2022-2026 Capital Improvement Plan includes funds in the amount of $285,000 for the Edgewood Avenue – Battle Creek Lake Culvert Improvements from the Ramsey-Washington Metro Trunk Storm Sewer Fund. Sufficient funds in the amount of $33,118.01 are available to acquire the necessary easements.

Policy

None

Public Process

All four property owners were contacted and staff met with each on-site to discuss the project and proposed easement needs.

Background

The culvert under Edgewood Avenue was constructed in 1958 with the Woodbury Heights development. When the culvert was built, no easements were obtained by the City, which are required since the retaining walls are built on private property. In 2019, the Public Works staff identified that the headwall and retaining walls were failing. The City subsequently completed a feasibility report to evaluate the existing condition of the culvert and retaining wall system and recommend necessary repairs.

Findings in the report recommend moving forward with design and construction of a complete retaining wall and culvert replacement system due to the extensive deterioration of the existing 65 year old culvert and retaining walls.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachments:
1. Resolution authorizing easement acquisition from Houska
2. Resolution authorizing easement acquisition from Anderson
3. Resolution authorizing easement acquisition from Breneman
4. Resolution authorizing easement acquisition from Villegas
Engineering File No: 06-2019-01
A permanent drainage and utility easement over, under, and across, that part of Lot 28, Block 11 of WOODBURY HEIGHTS NO. 3 as of record in Washington county, Minnesota, being northwesterly of a line 25.00 feet southeasterly of LINE A described below.

LINE A:
Commencing at the southeasterly corner of Lot 29, Block 11 of WOODBURY HEIGHTS NO. 3; thence northeasterly for 125.35 feet to the southeasterly corner of Lot 35, Block 8 of said WOODBURY HEIGHTS NO. 3, also being the point of beginning; thence deflecting 164 degrees 30 minutes 00 seconds to the left for 124.68 feet and there terminating.

ALSO a 5.00 wide temporary construction easement over, under, and across that part of the above described parcel within 5.00 feet, as drawn perpendicular to the southeasterly line of the above easement and its extensions.

P.E. = 214 SQFT +/-
T.E. = 240 SQFT +/-

ORIENTATION OF THIS BEARING SYSTEM IS
BASED ON THE WASHINGTON COUNTY
COORDINATE SYSTEM, NAD83 (2011 ADJ)

EASEMENT EXHIBIT FOR: STORM SEWER AND DRAINAGE

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR UNDER THE LAWS OF
THE STATE OF MINNESOTA.

THEODORE S BROWN
DATE 5/19/2021
LICENSE NO. 51678
A permanent drainage and utility easement over, under, and across, that part of Lot 35, Block 8 of WOODBURY HEIGHTS NO. 3 as is of record in Washington County, Minnesota, being northerly of a line 20.00 feet southeasterly of a 38.00 feet northerly extension of LINE A described below, and southwesterly of a line being perpendicular to the terminus of said extension.

LINE A:
Commencing at the southwesterly corner of Lot 29, Block 11 of WOODBURY HEIGHTS NO. 3; thence northeasterly for 125.35 feet to the southwesterly corner of Lot 35, Block 8 of said WOODBURY HEIGHTS NO. 3, also being the point of beginning; thence deflecting 164 degrees 30 minutes 00 seconds to the left for 124.68 feet and there terminating.

P.E. = 927 SQFT +/-

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83 (2011 ADJ)

EASEMENT EXHIBIT FOR: STORM SEWER AND DRAINAGE

WOODBURY, MINNESOTA

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

THEODORE S BROWN
DATE 4/29/2021
LICENSE NO. 51678
Resolution 22-

Resolution of the City of Woodbury
Washington County, Minnesota

Authorizing Acquisition in the Amount of $2,789.24 for Easements in Lot 28, Block 11, Woodbury Heights No. 3 from James E. Houska and Lydia M. Houska for the Public Drainage and Municipal Utility

WHEREAS, the easement area is owned by James E. Houska and Lydia M. Houska and the City desires to approve permanent and temporary easement acquisition by payment of $2,789.24.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Payment in the amount of $2,789.24 to James E. Houska and Lydia M. Houska for the acquisition of a permanent and temporary construction easement in Lot 28, Block 11, Woodbury Heights No. 3 is hereby authorized.

2. The Mayor and City Administrator are hereby authorized to execute said documents.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing Acquisition in the Amount of $12,265.94 for Easements in
Lot 35, Block 8, Woodbury Heights No. 3 from Joshua E. Anderson for the
Public Drainage and Municipal Utility

WHEREAS, the easement area is owned by Joshua E. Anderson and the City
desires to approve permanent easement acquisition by payment of $12,265.94.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Woodbury, Washington County, Minnesota as follows:

1. Payment in the amount of $12,265.94 to Joshua E. Anderson for the
   acquisition of a permanent drainage and utility easement in Lot 35, Block 8,
   Woodbury Heights No. 3 is hereby authorized.

2. The Mayor and City Administrator are hereby authorized to execute said
documents.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: ________________________________

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing Acquisition in the Amount of $12,589.75 for Easements in Lot 27, Block 11, Woodbury Heights No. 3 from Michael W. Breneman and Elizabeth E. Breneman for Public Drainage and Municipal Utility

WHEREAS, the easement area is owned by Michael W. Breneman and Elizabeth E. Breneman and the City desires to approve permanent and temporary easement acquisition by payment of $12,589.75.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Payment in the amount of $12,589.75 to Michael W. Breneman and Elizabeth E. Breneman for the acquisition of a permanent and temporary construction easement in Lot 27, Block 11 Woodbury Heights No. 3 is hereby authorized.

2. The Mayor and City Administrator are hereby authorized to execute said documents.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Acquisition in the Amount of $5,473.08 for Easements in Lot 34, block 8, Woodbury Heights No. 3 from Miguel Villegas and Amy Villegas for Drainage and Municipal Utility

WHEREAS, the easement area is owned by Miguel Villegas and Amy Villegas and the City desires to approve permanent easement acquisition by payment of $5,473.08.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Payment in the amount of $5,473.08 to Miguel Villegas and Amy Villegas for the acquisition of a permanent easement in Lot 34, Block 8, Woodbury Heights No. 3 is hereby authorized.

2. The Mayor and City Administrator are hereby authorized to execute said documents.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-05

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Joint Powers and Construction Cooperation Agreement for Construction of Gold Line BRT Project and Concurrent Non-Project Activities Requested by City of Woodbury; Approve Agreement

Summary

The City has requested a watermain replacement, pavement rehabilitation, multi-use trail and enhanced landscaping and lighting projects to be constructed in coordination with the METRO Gold Line Bus Rapid Transit (BRT) project by the Metropolitan Council. Subordinate Funding Agreements were entered into by the City and Metropolitan Council for design of watermain on March 18, 2020, and for pavement rehabilitation, multi-use trail and enhanced landscaping and lighting on December 9, 2020. These design contracts have been completed with plans prepared for construction.

A Joint Powers and Construction Cooperation Agreement for Construction of Gold Line BRT Project and Concurrent Non-Project Activities requested by the City of Woodbury is necessary to provide the legal framework for the construction delivery of these projects. The Metropolitan Council will utilize the Agreement to Federal Transit Administration (FTA) when advancing the project to the construction phase.

Recommendation

Staff recommends Council adopt the attached resolution approving the Joint Powers and Construction Cooperation Agreement for Construction of Gold Line BRT Project and Concurrent Non-Project Activities Requested between the City of Woodbury and Metropolitan Council for Construction of City requested watermain replacement, pavement rehabilitation, multi-use trail and enhanced landscaping and lighting projects constructed in coordination with the METRO Gold Line Bus Rapid Transit (BRT) project.

Fiscal Implications

There are no direct fiscal implications associated with the Agreement. The Agreement describes the responsibilities of each of the parties for design and construction as cooperative project partners. The agreement appoints the Metropolitan Council as its agent to obtain bids, enter into a contract for construction of the work and to supervise the work performed on the City Project for compliance with the construction documents and agreement.
The Metropolitan Council and City are currently negotiating and intend to enter into a Subordinate Funding Agreement for funding of the City Project work. This agreement will identify the City's fiscal responsibility for construction of the work.

The proposed 2023-2027 Capital Improvement Plan will include the estimated expenditures for construction of the City requested project improvements in the year 2023 within the I-94 Tax Abatement Fund.

Policy

Cooperative agreements between the City and other governmental agencies require City Council approval.

Public Process and Timeline

The METRO Gold Line BRT project began public process in 2007 and included 16 Council Workshops and 17 Council Meetings with discussion and actions related to the project. The Gold Line Project Office has also held a number of public meetings to receive input and inform the public of the project.

Background

The Gold Line Project Office has completed the construction plans and is preparing the project for bidding and construction. The Gold Line Station Area Master Plan efforts have identified a number of landscaping and lighting improvements that would increase corridor comfort and safety for pedestrians, bicyclists and drivers within the station areas and to adjacent destinations. Since these proposed improvements are within the limits of the Gold Line project, staff has recommended these improvements be coordinated with the Gold Line project design and construction. The Gold Line Station Area Master Plan efforts have also identified a number of trail segments that would increase connectivity, mobility, access and safety for pedestrians and bicyclists within the station areas and to adjacent destinations. Staff is recommending the proposed trail segment west of Bielenberg Drive between Tamarack Road and Stephens Way be coordinated with the METRO Gold Line BRT project design and construction as the segment is within the project limits.

The construction plans indicate Bielenberg Drive from Hudson Road to approximately 900 feet south of the Nature Path intersection will be fully reconstructed by the METRO Gold Line BRT project. The current Capital Improvement Plan includes pavement rehabilitation of Bielenberg Drive from Nature Path to Valley Creek Road. Since a portion of the pavement rehabilitation is within the limits of the Gold Line project, staff has recommended these improvements be coordinated with the Gold Line project design and construction.

Draft plans indicated approximately 50 percent of the watermain under Bielenberg Drive from Hudson Road to Stephens Way is proposed for replacement by the METRO Gold Line BRT project. Due to the significant partial replacement of this pipe as part of the project and the current age of the pipe at 43 years, staff has identified the opportunity to replace the remaining watermain and valves with the project at a City cost. A full watermain replacement will reduce the risk of future impacts to the new roadway for watermain repairs, provide a more effective watermain design, improve valve locations for effective operations, coordinate watermain location with corresponding infrastructure and ensure the watermain design is adequate for
future development and redevelopment opportunities that may be identified in the Gold Line Station Area Master Planning process.

This coordination will enable an efficient design and construction process for City requested improvements and reduce the occurrence of further disturbance of the area following the Gold Line project to install the improvements.

Written By: Tony Kutzke, City Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Engineering File No. 136-141
Resolution 22-

Resolution of the City of
Woodbury, Washington County,
Minnesota

Approving the Joint Powers and Construction Cooperation Agreement
for Construction of Gold Line BRT Project and Concurrent
Non-Project Activities Requested between the City of Woodbury and Metropolitan
Council for Construction of City Requested Watermain Replacement, Pavement
Rehabilitation, Multi-Use Trail and Enhanced Landscaping and Lighting Projects
Constructed in Coordination with the METRO Gold Line Bus Rapid Transit (BRT) Project

WHEREAS, it has been determined a Joint Powers and Construction Cooperation agreement is necessary to allow for delivery of the Metropolitan Council’s METRO Gold Line Bus Rapid Transit project as proposed to include City of Woodbury funded projects by future Subordinate Funding Agreements for construction; and

WHEREAS, the Council plans to construct the METRO Gold Line Bus Rapid Transit Project, which will directly serve five cities: Saint Paul, Maplewood, Landfall, Oakdale, and Woodbury, all within Ramsey and Washington Counties; and

WHEREAS, the City desires to construct a watermain replacement, pavement rehabilitation, multi-use trail, and enhanced landscaping and lighting, to be funded by the City and delivered by the Council; and

WHEREAS, both Council and City desire that the City Project be constructed in conjunction with the Council Project to minimize cost to both projects, minimize community impacts and disruption, and delivery a high-quality project; and

WHEREAS, the City desires to have the Council construct the City Project contemporaneously with the Council Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. A Joint Powers and Construction Cooperation Agreement with the Metropolitan Council for construction of the METRO Gold Line BRT project is hereby approved.

2. The Mayor and City Administrator are hereby authorized to execute said Agreement.
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: 

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-06

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approving the Agreement with Washington Conservation District for the East Metro Water Resources Education Program

Summary

As a Municipal Separate Storm Sewer System (MS4) Permittee, the City is required to engage residents on numerous stormwater education items throughout each calendar year. Many neighboring communities and overlapping jurisdictions, such as the county and watershed districts have the same requirements. In order to increase the efficiencies and effectiveness of these education efforts, 25 local units of government formed the East Metro Water Resources Education Program (EMWREP) to help provide content, public engagement, and shared messaging. EMWREP is hosted by Washington Conservation District and works directly with City staff to plan and implement education and engagement related to stormwater.

Recommendation

Staff recommends Council adopt the attached resolution approving the agreement with the Washington Conservation District for the East Metro Water Resources Education Program.

Fiscal Implications

The 2022 Adopted Annual Budget includes funds in the amount of $3,000 for the East Metro Water Resources Education Program. Sufficient funds are available from the Storm Water Utility Fund in the amount of $3,000 for the intergovernmental agreement with the Washington Conservation District.

Policy

Critical Success Factor – Environmental Stewardship.

Public Process

This is the first public process for this item.
Background

Within the MS4 Permit, there are six Minimum Control Measures (MCM) that all permittees must address. They are:

- MCM 1: Public Education and Outreach
- MCM 2: Public Participation/Involvement
- MCM 3: Illicit Discharge Detection and Elimination
- MCM 4: Construction Site Stormwater Runoff Control
- MCM 5: Post-Construction Stormwater Management
- MCM 6: Pollution Prevention/Good Housekeeping for Municipal Operations

The City is able to efficiently address MCM 1 and portions of the other MCM’s, through implementation of programs and training opportunities by partnering with Washington Conservation District and 24 other local units of government within the County.

Woodbury has been an MS4 permittee since 2003. The Minnesota Pollution Control Agency updates the permit every five to seven years. The most recent permit update was in 2020 and the City received coverage in November 2021.

Written By: Kristin Seaman, Environmental Resources Specialist
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Agreement with Washington Conservation District for the East Metro Water Resources Education Program

WHEREAS, the City of Woodbury is a Municipal Separate Storm Sewer System (MS4) Permittee; and

WHEREAS, the City has goals to protect, improve and promote surface water quality in the region; and

WHEREAS, the Washington Conservation District hosts the East Metro Water Resources Education Program (EMWREP); and

WHEREAS, EMWREP has successfully engaged residents around the City and County for numerous years; and

WHEREAS, the partnership is a value to the City and its residents; and

WHEREAS, staff recommends Council adopt the attached resolution approving the agreement with the Washington Conservation District for the East Metro Water Resources Education Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, an agreement with Washington Conservation District for the East Metro Water Resources Education Program is hereby approved.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota  
Office of City Administrator  

Council Letter 22-07  
January 12, 2022  

To: The Honorable Mayor and Members of the City Council  
From: Clinton P. Gridley, City Administrator  
Subject: Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements; Authorize Use of Phase Two - Major Roadway Special Assessment Fund; Authorize Use of Trunk Water and Sanitary Sewer Fund; Consultant Selection; Authorize Preparation of Preliminary Report; Authorize Preparation of Plans and Specifications  

Summary  
The Northeast Area Traffic Impact Study prepared in 2018, then updated in 2020, identified roadway and intersection improvements will be necessary along Hudson Road to accommodate proposed developments in the Northeast Area. The study identified the need for left/right turn lanes on Hudson Road at Karen Drive once developments adjacent to Karen Drive were approved. In addition to the turn lane improvements, a 12” trunk watermain will be extended along the north side of Hudson Road from Settlers Ridge Parkway to ½ mile west. This watermain will connect existing trunk watermains and provide redundancy to the water system.  

The first step to complete this project is to engage consulting engineering professional services to assist the City in preparing a preliminary report and plans and specifications. Bolton & Menk, Inc., was selected since they recently completed design and construction administration of Karen Drive. Bolton & Menk, Inc., has working knowledge of the proposed project and have designed and managed construction on a number of similar roadway projects in Woodbury.  

Preparation of a Preliminary Report and Plans and Specifications are necessary to coordinate infrastructure development and to consider the physical and economic feasibility of the proposed roadway and utility improvements. The Bolton & Menk, Inc., agreement for professional engineering services for the preliminary report, design, and construction administration is $183,361 for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements.  

Recommendation  
Staff recommends Council adopt the attached resolution authorizing the Mayor and City Administrator to appropriate funds from the Phase Two – Major Roadway Special Assessment Fund; Trunk Water and Sanitary Sewer Fund; execute an engineering consulting services contract with Bolton & Menk, Inc. for design and construction administration for the preparation of a preliminary report and preparation of plans and specifications for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements.
Fiscal Implications

Sufficient funds are available in the amount of $183,361 from a combination of Phase Two – Major Roadway Special Assessment Funds ($132,020) and Trunk Water and Sanitary Sewer Funds ($51,341) for a professional engineering services agreement with Bolton & Menk, Inc. Revenues within the Phase Two – Major Roadway Special Assessment Fund and Trunk Water and Sanitary Sewer Fund have been previously collected from development of adjacent properties to mitigate future traffic impacts and to provide utility improvements in the Northeast Area of Woodbury.

Policy

Purchasing policy CD-FIN-5.1 which requires Council Approval for all professional services exceeding $175,000.

Public Process

This is the first public process for this item.

Background

Several new developments in the Northeast Area of Woodbury have prompted the need for roadway improvements on Hudson Road at Karen Drive. These improvements consist of left and right turn lanes for west and east bound traffic turning south onto Karen Drive. These roadway improvements are consistent with the 2020 Traffic Impact Study completed for the Northeast Area.

A 12” trunk watermain will be extended along the north side of Hudson Road, from Settlers Ridge Parkway to ½ mile west. This new watermain will connect to existing watermain stubs at each end, which will loop the water system for redundancy and fire protection in the Northeast Area.

The project is proposed to be publicly bid and constructed; therefore, the City will follow the Minnesota Statues Chapter 429 Public Improvement Process.

Written By:          Doug Peterson, Engineering Project Coordinator
Approved Through:   Chris Hartzell, Engineering Director
Attachment:         Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing the Mayor and City Administrator to Appropriate Funds from the Phase Two – Major Roadway Special Assessment Funds; Trunk Water and Sanitary Sewer Funds; Execute an Engineering Consulting Services Contract with Bolton & Menk, Inc., for design and construction administration for the preparation of a Preliminary Report and Preparation of Plans and Specifications for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements

WHEREAS, the City desires to perform turn lane improvements on Hudson Road at Karen Drive; and a watermain extension from Settlers Ridge Parkway to 1/2 mile west; and

WHEREAS, the City wishes to retain the services of an engineering consultant to assist with said project; and

WHEREAS, Bolton & Menk, Inc., has been determined to best meet the City’s needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Authorization is hereby given to enter into an engineering consulting services agreement with Bolton & Menk, Inc., for design and construction services; which includes the Preparation of a Preliminary Report and Plans and Specifications for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain in the amount of $183,361.

2. The Mayor and City Administrator are hereby authorized to execute the above consultant agreement.

3. Bolton & Menk, Inc., is hereby directed to prepare a preliminary report for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements. Said preliminary report shall include an analysis as to whether the proposed improvements are necessary, cost effective and feasible.

4. The preparation of construction plans and specifications for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain Improvements is hereby authorized. Said plans and specifications will be prepared by Bolton & Menk, Inc.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to authorize the use of the following funds:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase Two – Major Roadway Special Assessment Fund</td>
<td>$132,020</td>
</tr>
<tr>
<td>Trunk Water and Sanitary Sewer Fund</td>
<td>$ 51,341</td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest:  

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-08

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Memorandum of Understanding with South Washington Watershed District- Hassenbank Woods and Fish Lake Vegetation Management and Restoration

Summary

The City and South Washington Watershed District (SWWD) have a shared interest in improving areas of native vegetation and stormwater quality improvements. The City is proposing to partner with SWWD for the Hassenbank Woods and Fish Lake management and restoration to improve the vegetation and stormwater runoff within the region.

A Memorandum of Understanding is necessary to define the roles and responsibilities of each agency. The SWWD will begin removing non-native woody species, like buckthorn, within Hassenbank Woods and study the opportunities to improve the vegetation within and around Fish Lake and apply for grant funding. The City will allow access to City property and continue to engage community members regarding the future best management practice (BMP) device directly west of Hassenbank Woods. An additional memorandum of understanding will be brought to the Council prior to vegetation improvements around Fish Lake and construction of the proposed BMP west of Hassenbank Woods.

Recommendation

Staff recommends Council adopt the attached resolution authorizing execution of the Memorandum of Understanding with South Washington Watershed District for Hassenbank Woods and Fish Lake Vegetation Management and Restoration.

Fiscal Implications

No fiscal impact at this time.

Policy

Critical Success Factor – Environmental Stewardship
Public Process

This is the first public process for this item. Project website and community engagement on the different phases of the project will occur in early 2022.

Background

The City of Woodbury is divided into three watershed districts: South Washington, Valley Branch and Ramsey Washington Metro. The South Washington Watershed District (SWWD) covers two thirds of the City and has partnered with the City for many vegetation management, water quality, and flood control projects.

In 2018, the City and SWWD partnered to update lake water management plans for Colby Lake, La Lake, Markgrafs Lake, Wilmes Lake and Powers Lake. This resulted in a better understanding of the nutrient loading (phosphorus) contributions for lakes within Woodbury. In addition, SWWD led an effort to locate opportunities to implement regional stormwater best management practices.

The area west of Hassenbank Woods was identified as a potential location for a regional stormwater BMP within the Powers Lake Watershed and opportunities for vegetation improvement in the area surrounding Fish Lake. Both agencies are also considering options to improve the trail connection across St. John’s Drive, and a trail extension around Powers Lake. The stormwater BMP’s and future trail connections will be presented to Council and the Parks and Natural Resources Commission for approval after progression of design.

Written By: Kristin Seaman, Environmental Resources Specialist
Approved Through: Chris Hartzell, Engineering Director
Michelle Okada, Parks and Recreation Director
Attachment: Resolution
Resolution 22 –

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing execution of the Memorandum of Understanding
with South Washington Watershed District for Hassenbank Woods and Fish Lake
Vegetation Management and Restoration

WHEREAS, the City and South Washington Watershed District (SWWD) have an interest in restoring native vegetation and improving water quality in the Powers Lake Watershed; and

WHEREAS, the City owns the property of Hassenbank Woods and Fish Lake; and

WHEREAS, the SWWD is proposing to fund vegetation restoration efforts in the Hassenbank Woods; and

WHEREAS, the SWWD will hire a contractor to assess the vegetation in Fish Lake and update the proposed management plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, authorizes execution of the Memorandum of Understanding with South Washington Watershed District for the Hassenbank Woods and Fish Lake Vegetation Management and Restoration.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-09

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorizing Acceptance of Replacement Municipal Well and Well 1 Abandonment Grant from Minnesota Pollution Control Agency and Approval of Budget Amendment to the Water and Sewer Utility Fund

Summary

On February 20, 2018, the State of Minnesota settled its lawsuit against the 3M Company in return for a grant of $850 million. Minnesota’s attorney general sued 3M in 2010 alleging that the company’s production of chemicals known as per- and polyfluoroalkyl Substances (PFAS) had damaged drinking water and natural resources in the southeast Twin Cities metro area. After legal and other expenses are paid, about $720 million is to be invested in drinking water and natural resources projects in the Twin Cities east metro region.

In August of 2021, the State of Minnesota released its final conceptual drinking water supply plan (CDWSP) which includes a long-term water treatment plant for the City of Woodbury. Also included as part of the CDWSP for the City is the replacement of a municipal production well with a new well and abandonment of one PFAS impacted well with a Health Advisory (Well 1).

On October 21, 2021, in coordination with the Minnesota Pollution Control Agency (MPCA), staff submitted a scope and cost estimate to the MPCA for replacement well construction (Well 21) and Well 1 abandonment for funding consideration. The MPCA subsequently approved the funding request and fiscal resources are to be provided to the City under a MPCA grant.

Recommendation

Staff recommends Council adopt the attached resolution authorizing acceptance of replacement Municipal Well and Well 1 Abandonment Grant from Minnesota Pollution Control Agency in the amount of $2,983,000 and approval of budget amendment to the Water and Sewer Utility Fund.

Fiscal Implications

Upon approval to accept these grant funds, a budget amendment is necessary to recognize grant revenues and increased eligible expenses for consulting, replacement well construction, and well abandonment activities in the Water and Sewer Utility Fund.
Policy

PFAS water treatment aligns with the 2019-2021 Strategic Initiative 19-01, Ensure Long-term Drinking Water Sustainability.

Public Process

- May 22, 2019, Council authorization of the letter of engagement for Advanced Engineering and Environmental Services, Inc. (AE2S) to complete the Comprehensive Water System Master Plan
- October 9, 2019, Council Resolution on the Development of the State of Minnesota 3M PFC Settlement Conceptual Drinking Water Supply Plan
- November 20, 2019 Council Workshop: Strategic Initiative Ensure Long-term Drinking Water Sustainability
- February 19, 2020, Council Workshop: Woodbury’s Comprehensive Water System Update
- October 7, 2020, Council Workshop: State of Minnesota Conceptual Drinking Water Supply Plan
- October 21, 2020, Council Workshop: State of Minnesota Conceptual Drinking Water Supply Plan
- June 23, 2021, Council meeting: Additional Emergency Actions to Be Taken To Address Water Treatment Issues in the City Caused by PFAS Contamination
- August 25, 2021, Council Workshop: Update on Strategic Initiative: Drinking Water
- October 13, 2021 Council Workshop: Community Growth and Water Analysis
- October 20, 2021 Council Workshop: State of Minnesota Conceptual Drinking Water Supply Plan
- Staff attendance at Monthly CDWSP meetings since early 2019.

Background

The City of Woodbury owns and operates a water system which draws ground water from the Prairie du Chien/Jordan aquifer. Water supply comes from 19 production wells with a total designed pumping capacity of about 24,500 gallons per minute with a firm capacity of about 32 million gallons per day. To handle peak water demand, Woodbury has six water storage facilities totaling 10.5 million gallons. The water is treated with chlorine and fluoride to meet Department of Health standards. Some Woodbury properties obtain their water through private wells and are not served by the municipal water systems.

On February 20, 2018, the State of Minnesota settled its lawsuit against the 3M Company in return for a grant of $850 million to address the alleged damage of drinking water and natural resources in the southeast Twin Cities metro area due to PFAS. After legal, expenses, and expedited projects, there is approximately $700 million remaining.

The court directed the MPCA and the Department of Natural Resources (DNR) as Co-Trustees to set-up working groups to guide the use of the funds. The court-approved agreement specifically outlines providing a clean, sustainable supply of drinking water as a top priority. Staff and public representatives from Woodbury have been highly engaged in the working groups, led by the MPCA and DNR. On October 9, 2019, Council adopted a resolution that provided guidance to staff on the development of the State of Minnesota’s 3M PFC Settlement CDWSP.
In August 2021, the State released their CDWSP outlining long term treatment strategies for PFAS impacted communities including Woodbury. Woodbury’s State strategy includes a long term water treatment facility and a replacement municipal well and Well 1 abandonment.

The City’s water continues to meet all current state and federal drinking water standards and guidance for PFAS; however, there have been significant operational changes made due to the presence of PFAS in the aquifer. Seven of the City’s 19 wells have levels of PFAS above the Health Based Value (HBV), Health Advisory Values (HA), or the Hazard Index (HI) that require Woodbury to significantly reduce their use; four of which are currently being treated at the temporary water treatment facility. In upcoming years, there is general concern that the other wells may experience increased levels of PFAS that may exceed established values. In addition, the regulatory values continue to change as more research is being done and the health impacts are becoming more understood.

Written By: Jim Westerman, Assistant Public Works Director
Approved Through: Mary Hurliman, Public Works Director
Attachments: Resolution
Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Acceptance of Replacement Municipal Well and Well 1 Abandonment Grant from Minnesota Pollution Control Agency in the Amount of $2,983,000 and Approval of Budget Amendment to the Water and Sewer Utility Fund

WHEREAS, the City is a beneficiary to the settlement agreement and order between the State of Minnesota and 3M Company for the company’s production of chemicals known as Per- and Polyfluoroalkyl Substances and resultant impact to the City’s potable water supply; and

WHEREAS, the Minnesota Pollution Control Agency (MPCA) and Department of Natural resources, co-trustees of the settlement agreement, have completed a conceptual drinking water supply plan (CDWSP) for communities impacted by the settlement agreement; and

WHEREAS, the construction of a replacement municipal well and abandonment of municipal Well 1 is included within the final CDWSP; and

WHEREAS, the City of Woodbury prepared, submitted, and received approval for a grant from the MPCA for the purpose of construction of a replacement municipal well and abandonment of municipal Well 1; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS a resolution from the City Council authorizing the City of Woodbury Assistant City Administrator to execute the MPCA Replacement Municipal Well and Well 1 Abandonment Grant electronically through the State’s SWIFT process is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of the City of Woodbury Replacement Municipal Well and Well 1 Abandonment Grant from the MPCA for the City is hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increase to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer Utility Fund</td>
<td></td>
</tr>
<tr>
<td>Capital Contributions Intergovernmental (501-000-00-00000-4346)</td>
<td>$2,983,000</td>
</tr>
</tbody>
</table>
BE IT FURTHER RESOLVED that the following 2022 expense increase be made:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer Utility Fund</td>
<td></td>
</tr>
<tr>
<td>Capital Outlay-Building and Structures</td>
<td></td>
</tr>
<tr>
<td>(501-075-00-00000-5510)</td>
<td>$2,983,000</td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 12th day of January, 2022.

Attest:                                               Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-10
January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Valley Creek Streamflow Measurement Oversight and Groundwater Monitoring and Reporting for the East and South Well Field Consultant Selection

Summary

In order to operate its municipal drinking water system, the City must adhere to requirements detailed in its Water Appropriation Permit issued and managed by the Minnesota Department of Natural Resources (DNR). These requirements include monitoring the flow and oversight of streamflow measurements of the south branch of Valley Creek in Afton, monitoring aquifer groundwater elevations, maintaining a network of wells for groundwater elevation measurements, and reporting.

The existing agreement with the City’s consultant LimnoTech is expiring at the end of January 2022 and a new agreement is necessary to fulfill the requirements of the DNR groundwater appropriation permit. Staff has negotiated terms of service for a renewed three year agreement with LimnoTech. The overall cost is reasonable and being obtained at a 10% overall reduction from past agreements. LimnoTech has extensive hydrogeology and hydrology knowledge of the area, a unique familiarity with the scope of work and needs of the City, and is best positioned to provide the necessary data collection, analysis, reporting, and independent review of DNR streamflow data and data collection activities while meeting the requirements of the City’s appropriation permit.

Recommendation

Staff recommends Council adopt the attached resolution authorizing the Mayor and City Administrator to execute a contract with LimnoTech as the City’s consultant and engineering firm for services associated with Valley Creek streamflow measurement oversight and groundwater monitoring and reporting for the east and south well fields.

Fiscal Implications

Consultant and equipment fees for the three year term are estimated at an amount of $124,700. The total not to exceed price for consultant services with a 15% contingency is $143,405. The 2022 Water and Sewer Utility Fund – Water Division Budget includes $30,000 for the first year of the effort. Future funding will be included in the budget process of each following year based on the scope of service and timeline of needed equipment upgrades.
Policy

Water appropriation permit management aligns with the 2019-2021 Strategic Initiative 19-01, Ensure Long-term Drinking Water Sustainability.

Public Process

- December 11, 2019, Council meeting adoption of Strategic Initiatives for 2020-2021.

Background

The City of Woodbury operates its municipal water system under a state statue required permit issued by the DNR. As part of the City’s permit, to manage the potential municipal water supply system impacts on the Valley Creek, the City is required to perform certain aquifer and stream flow monitoring and reporting. These efforts include participating in and supporting monitoring of flow on the south branch of the Valley Creek, aquifer water elevation monitoring, monitoring well maintenance, and twice a year reporting to the state.

Written By: Jim Westerman, Assistant Public Works Director
Approved Through: Mary Hurliman, Public Works Director
Attachments: Resolution
Resolution 22–

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing the Mayor and City Administrator to Execute a Contract with LimnoTech as the City’s Consultant and Engineering Firm for services associated with Valley Creek Streamflow Measurement Oversight and Groundwater Monitoring and Reporting for the East and South Well Field

WHEREAS, the City is required to complete Valley Creek streamflow monitoring, groundwater monitoring, and reporting under its existing Department of Natural Resources issued Water Appropriation Permit 1969-0215; and

WHEREAS, the City is proposing to utilize the services of LimnoTech to continue the implementation of Valley Creek streamflow monitoring oversight, groundwater monitoring, and reporting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That LimnoTech is hereby selected to perform Valley Creek Streamflow Measurement Oversight and Groundwater Monitoring and Reporting for the East and South Well Fields.

2. Authorization is hereby given to enter into a three year consultant contract agreement with LimnoTech for a total of $124,700 to continue the implementation of the Valley Creek streamflow monitoring oversight, groundwater monitoring, and reporting.

3. A contingency of 15% of the contract totaling $18,705 is hereby authorized for a total potential project amount of $143,405.

4. The Mayor and City Administrator are hereby authorized to execute the above contract agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January 2022.

Attest: Ann W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-11
January 12, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Acceptance of $7,475 donation from Woodbury Police K9 Fund for the Community Support Dog and Approval of 2021 Budget Amendment

Summary

The Woodbury Police K9 Fund has again graciously stepped up to fund the vision of a community support dog for the Woodbury Public Safety department and for the people of Woodbury.

The Community Support Dog will serve three main purposes:

1. Response to traumatic calls. Our officers and fire/ems personnel respond to traumatic incidents affecting the lives of our citizens. A certified therapy dog can also respond these calls to ease the effects of such events and provide some comfort to the people affected.
2. Internal support for Police, Fire and EMS personnel. With the stressful nature of these professions, this dog will be available to reduce the effects of trauma and stress in the workplace.
3. Community outreach and engagement. Each year, Woodbury Public Safety makes it a priority to participate in community events throughout our City. Our community support dog will be part of this engagement working to build relationships within our community.

A wonderful partner in this endeavor is Goldfeather Run, owned and operated by Mary Buffie, who generously offered to help us select one of her litter puppies that she raised and specially tested for this position. Please help us welcome, Otis, Community Support Dog Cadet, to the Woodbury Police Department, with hopes of becoming a certified therapy dog in the future.

This, of course, would not be possible without the remarkably generous support of the Woodbury Police K9 Fund, led by Donna Stafford, who once again stepped up and offered to fund this project for the first year of the program with a donation of $7,475.

Recommendation

Staff recommends Council adopt the attached resolution authorizing the acceptance of the $7,475 donation from the Woodbury Police K9 Fund for the community support dog and amending the 2021 Police Services Division Budget.
Fiscal Implications

The donation will be revenue to the General Fund. It is necessary to amend the 2021 Adopted Budget to reflect this increase in revenue and associated expenditures in the General Fund – Police Services Division budget.

Policy

Minnesota Statute § 465.03 – Gifts to Municipalities regulates this process.

Public Process

This is the first public process for this item.

Background

The support of the Woodbury Police K9 fund makes it possible for the Woodbury Public Safety K9 unit to continue its mission of providing exceptional service to the community.

The substantial gifts to the fund, led by Donna Stafford, include the acquisition and training of five police K9s and equipment for the department. The fund engages throughout our community and receives support from many Woodbury citizens and businesses. The work of the fund provides the financial assistance that is vital to the K9 program and generates support for the program throughout our community.

Written By: Susan Trapp, Public Safety Technician
Approved Through: Natalie Bauer, Police Sergeant
                  Lee Vague, Public Safety Director/Police Chief
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Acceptance of $7,475 donation from Woodbury Police K9 Fund
for the Community Support Dog and Approval of 2021 Budget Amendment

WHEREAS, the Woodbury police department had a vision to purchase and train a community support dog; and

WHEREAS, the community support dog would: (1) respond to traumatic incidents to provide comfort to community members, (2) provide internal support for public safety personnel to reduce the effects of trauma and stress in the workplace, and (3) engage with members of our community through outreach and engagement efforts; and

WHEREAS, the hope is that the community support dog cadet would become a certified therapy dog; and

WHEREAS, Goldfeather Run has identified a puppy from a recent litter specifically tested for this position; and

WHEREAS, the fund wishes to present Otis, Community Support Dog Cadet, and donate to support this concept for the first year; and

WHEREAS, substantial gifts of the fund, led by Donna Stafford provides the financial assistance that is vital to the K9 program and generates support for the program throughout our community; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept gifts by resolution expressed in the terms prescribed by the donor in full; and

WHEREAS, acceptance of the gift in accordance with the donor's terms is in the best interest of the City of Woodbury and that the City of Woodbury wishes to extend its grateful appreciation to the Woodbury Police K9 Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of the $7,475 donation for the community support dog are hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED, by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increases to the 2021 City Budget:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund – Donations 101-000-00-00000-4387</td>
<td>$7,475</td>
</tr>
</tbody>
</table>
BE IT RESOLVED that the following 2021 expenditure increases be made:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Police Division – Operating Supplies 101-025-00-30129-5211</td>
<td>$2,175</td>
</tr>
<tr>
<td>General Fund Police Division – Small Equipment 101-025-00-30129-5220</td>
<td>$5,000</td>
</tr>
<tr>
<td>General Fund Police Division – Professional Services 101-025-00-30129-5301</td>
<td>$300</td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-12

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Acceptance of Gift of $235 Cash donated by the Family and Friends of Rosalie May Wyss Halverson

Summary

To honor their loved one and to give back to the City of Woodbury Emergency Medical Services, the family and friends of Rosalie May Wyss Halverson have donated $235 to the City of Woodbury Emergency Medical Services (EMS).

Recommendation

Staff recommends Council adopt the attached resolution authorizing the acceptance $235 from the family and friends of Rosalie May Wyss Halverson to the City of Woodbury.

Fiscal Implications

The $235 donation will be recorded as EMS miscellaneous revenue in 2021.

Policy

Minnesota Statute § 465.03 – Gifts to Municipalities regulates this process.

Public Process

This is the first public process for this item.

Background

Rosalie Mae Wyss Halverson passed away recently and in lieu of flowers, donations were requested to various organizations, including the City of Woodbury EMS. The family and friends of Rosalie Mae Wyss Halverson have received $235 in donations designated for this memorial honoring Rosalie Mae’s memory.

Written By: Chris Zacharias, Public Safety Supervisor
Approved Through: Lee Vague, Public Safety Director/Police Chief
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorization of Acceptance of Gift of $235 from the Family and Friends of Rosalie Mae Wyss Halverson to the City of Woodbury

WHEREAS, the family and friends of Rosalie Mae Wyss Halverson have offered to donate $235 to the City of Woodbury Emergency Medical Services for the purpose of honoring their loved one; and

WHEREAS, the donation will serve the needs of the City by offsetting costs of providing emergency medical services; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept gifts by resolution expressed in the terms prescribed by the donor in full; and

WHEREAS, acceptance of the gift in accordance with the donor's terms is in the best interest of the City of Woodbury.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of $235 to the City of Woodbury from the friends and family of Rosalie Mae Wyss Halverson is hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED that the City of Woodbury wishes to extend its grateful appreciation to the family and friends of Rosalie Mae Wyss Halverson.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-13

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Amendment to MLC Joint and Cooperative Agreement

Summary

The Municipal Legislative Commission (MLC) recently updated the bylaws and Joint Cooperative Agreement (JCA) that governs the commission. The JCA requires each member’s City Council to approve the new document and sign and return the attached Certificate of Approval.

Also attached is a copy of the JCA showing the changes, along with a summary of proposed amendments to the JCA.

Recommendation

Staff recommends Council adopt the attached resolution approving the proposed form of amended and restated Joint Cooperative Agreement, and authorizing the Mayor and City Administrator to sign the Certificate of Approval of Amendments to Joint and Cooperative Agreement.

Fiscal Implications

There are no fiscal implications.

Policy

The joint exercise of powers is authorized under Minnesota Statutes § 471.59.

Public Process

The MLC’s process related to the Joint and Cooperative Agreement was originally adopted by the Commission in February 1984 and amended on July 19, 1995 and July 27, 2000.
Background

The MLC operates pursuant to a Joint and Cooperative Agreement among the MLC member municipalities. The Board of Directors of the MLC has approved certain amendments to the JCA and has submitted a proposed form of amended and restated JCA to the members for approval. Amendments to the JCA require unanimous written approval of the governing Councils of all members.

Written By: Roxy Nowicki, Executive Assistant/Deputy Clerk
Approved Through: Kimberlee K. Blaeser, City Clerk
Attachment:
1. Resolution
2. Certificate of Approval of Amendments to Joint and Cooperative Agreement
3. Joint and Cooperative Agreement Showing Changes
4. Joint and Cooperative Agreement Final Version
5. Summary of Proposed Amendments to Joint and Cooperative Agreement
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Proposed Form of Amended and Restated Joint Cooperative Agreement and Authorizing the Mayor and City Administrator to sign the Certificate of Approval of Amendments to Joint and Cooperative Agreement

WHEREAS, the City of Woodbury is a member of the Municipal Legislative Commission; and

WHEREAS, the City of Woodbury has received a copy of the proposed amended and restated Joint and Cooperative Agreement of the Commission; and

WHEREAS, the Joint Cooperative Agreement requires each member’s City Council to approve the new document and sign the Certificate of Approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, as follows:

1. The proposed form of amended and restated Joint Cooperative Agreement is hereby approved.

2. The Mayor and City Administrator are hereby authorized to sign the Certificate of Approval of Amendments to Joint and Cooperative Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
CERTIFICATE OF APPROVAL
OF
AMENDMENTS TO JOINT AND COOPERATIVE AGREEMENT
OF
MUNICIPAL LEGISLATIVE COMMISSION

The undersigned municipality, by its authorized representative, certifies to the Municipal Legislative Commission (the “Commission”) as follows:

1. The undersigned municipality is a member of the Commission and has received a copy of the proposed amended and restated Joint and Cooperative Agreement of the Commission dated effective as of ____________, 20__.  

2. By resolution duly adopted by the city council or other governing body of the undersigned municipality, the undersigned municipality has approved the proposed form of amended and restated Joint and Cooperative Agreement of the Commission.

IN WITNESS WHEREOF, the undersigned has caused this Certificate to be duly executed as of the date and year stated below.

City of Woodbury

By: __________________________
   Anne W. Burt, Mayor

Date: _________________________

By: __________________________
   Clinton P. Gridley, City Administrator

Date: _________________________
JOINT AND COOPERATIVE AGREEMENT

PRELIMINARY STATEMENT

The parties to this Agreement are governmental units of the State of Minnesota. Minnesota Statute Section 471.59 permits two or more sub-units, by agreement of their governing bodies, to jointly and cooperatively exercise any power common to each of them. Pursuant to statutory authorization, the parties to this Agreement have chosen to execute a joint powers agreement providing, in essence, for the development of legislative programs on matters of mutual concern and interests.

ARTICLE 1.
GENERAL PURPOSE

The primary purpose of this Agreement is for the member municipalities (the “Members”) to jointly and cooperatively develop legislative programs on matters of mutual concern and interest, and to identify, review, and actively oppose proposals which may be in conflict with the interests of the Members.

The organization formed pursuant to this Agreement will be funded by member municipalities contributions, as herein specified, with contributions being used for the retention of professional assistance, information preparation and dissemination, research, and other activities that may from time to time be authorized by the membership governing body of the organization.

ARTICLE 2.
NAME

The Members hereto agree to establish an organization to be known as the Municipal Legislative Commission (the “Commission”) to carry out the objectives of this Agreement.

ARTICLE 3.
DEFINITION OF TERMS

For the purpose of this Agreement, the terms defined in this Article shall have the meanings given them by this Article.
3.1) “Agreement” means this Joint and Cooperative Agreement, as amended from time to time and as joined by additional Members in the manner provided in Article 4 of this Agreement.

3.2) “Board” or “Board of Directors” means the governing body of the Commission.

3.3) “Bylaws” means the bylaws of the Commission adopted by the Board of Directors, as amended from time to time.

3.4) “Commission” means the organization created pursuant to this Agreement.

3.5) “Council” means the governing body of a Member.

3.6) “Directors” means the persons appointed pursuant to this Agreement to serve on the Board of Directors.

3.7) “Operating Committee” means the committee consisting of the City Managers or Administrators of each Member.

3.8) “Member” means a municipality which has entered into an agreement established pursuant to Article 9 of this Agreement.

3.9) “Associate Member” means a municipality which has entered into this Agreement, but does not have the same voting rights and privileges as a Member.

ARTICLE 4.
ADDITIONAL MEMBERS

Any other municipality that is not then a Member may become an additional Member upon approval by a majority vote of the then Members.

ARTICLE 5.
EFFECTIVE DATE

A municipality that has been approved to become an additional Member shall enter into this Agreement by duly executing a counterpart copy of this Agreement and by filing such. The additional Member shall file the signed counterpart copy of this Agreement, together with a certified copy of the authorizing resolution of the additional Member’s Council, with the Commission’s Chair and Executive Director. This Agreement shall become effective upon approval by at least six (6) municipalities, or on

ARTICLE 5.
EFFECTIVE DATE

The original effective date of this Agreement was February 1, 1984, whichever is sooner. It was most recently amended and restated effective as of __________, 2021.
ARTICLE 6.
POWERS AND DUTIES OF THE COMMISSION

6.1) The powers and duties of the Commission shall include the powers set forth in this article.

6.2) The Commission may establish legislative programs embodying proposed legislation and positions on proposed legislation.

6.3) The Commission may take such action as it deems necessary and appropriate to accomplish the general purpose of this organization.

6.4) The Commission may consult with persons knowledgeable in the legislative process and persons having a special interest therein, such as legislators, research organizations, educational institutions, other political subdivisions, municipal organizations, regulatory organizations, technical experts, and any other persons who can provide pertinent information concerning legislation of interest to the Commission.

6.5) The Commission may provide for the prosecution, defense, or other participation in actions or proceedings at law in which it may have an interest, and may employ counsel for that purpose.

6.6) The Commission may conduct such research and investigation and take such action as it deems necessary, including participation and appearance in proceedings of any metropolitan, state, federal, regulatory, or legislative or administrative bodies, on any proposed or existing law, bill, or recommendation related to or affecting any or all members.

6.7) The Commission may enter into any contracts deemed necessary by the Board to carry out the Commission’s powers and duties, subject to the provisions of this Agreement.

6.8) The Commission may contract with any of the Members or others to provide space, services, or materials on its behalf. Any contracts let or purchases made shall conform to the requirements applicable to Minnesota statutory cities.

6.9) The Commission may accept gifts, apply for use grants, enter into agreements required in connection therewith and hold, use and dispose of money or property received as a gift or grant in accordance with the terms thereof.

6.10) It shall cause an annual audit of the books of the Commission to be made by an independent auditor, or an independent auditor of a member city, whichever the Board determines. It shall make an annual financial accounting and report in writing to the Members. Its books and records shall be available for and open to the examination by
the Parties at all reasonable times. It shall establish the annual budget for the Commission as provided in this Agreement.

6.11) It may delegate authority to the Operating Committee between Commission meetings. Such delegation of authority shall be by resolution of the Board and may be reconditioned in such manner as the Board may determine.

6.12) The Commission may exercise any other powers necessary and incidental to the implementation of its powers and duties.

ARTICLE 7.
BOARD OF DIRECTORS

7.1) The governing body of the Commission is its Board of Directors. Each Member is entitled to appoint two Directors. Each Member is entitled to one vote to be cast by the elected Director or in his/her absence the appointed Director or their respective proxies. The Council of each Member shall appoint its two Directors, one of whom shall be the Member’s City Manager or Administrator (the Member’s “appointed Director”) and the other of whom shall be the Mayor or another elected official from the Council of the Member—(the Member’s “elected Director”). Each Member is entitled to one vote on each matter to come before the Board, to be cast by the Member’s elected Director or, in his or her absence, by the Member’s appointed Director or by a proxy designated under Section 7.2 below. Directors shall serve without compensation from the Commission, but this shall not prevent a Member from providing compensation for compensating one or both of its Directors for service on the Board, if such compensation is authorized by the Member and is not prohibited by law.

7.2) Proxy voting by Directors shall be permitted. A proxy must be designated in writing by a Member’s elected Director and, in the elected Director’s absence, by the Member’s appointed Director. Any individual designated as a proxy must be present at the meeting to vote.

7.3) Each Director shall serve until that Director’s successor is appointed and assumes his or her responsibilities. Directors shall serve at the pleasure of the Council Member appointing them. When the Council of a Member appoints a Director, it shall give notice of such appointment in writing or by e-mail to both the Commission’s Secretary/Treasurer Chair and the Commission’s Executive Director. Such notice shall include the mailing address and e-mail address of the person so appointed. The names and addresses shown on such notices may be used as the official names and addresses for the purposes of giving notices of any meetings of the Board.

7.4) A majority of the Members represented by at least one Director or proxy entitled to vote shall constitute a quorum for conducting business at a meeting of the Board.

7.5) A vacancy on the Board shall be filled by the Council of the Member whose position on the Board is vacant. During the time that one or more vacancies exist, the Board shall continue to have full power and authority to conduct business and a majority of
the Members represented by at least one (1) Director or proxy entitled to vote shall be sufficient to constitute a quorum.

7.6) The Board of Directors may delegate its authority to the Operating Committee between meetings of the Board. Such delegation of authority shall be by resolution of the Board or as provided in the Bylaws and may be conditioned in such manner as the Board may determine.

7.7) Meetings and proceedings of the Board shall be conducted as set forth in the Bylaws.

ARTICLE 8.

MEETINGS

8.1) The Commission shall meet at least quarterly and shall hold an annual organizational meeting in July.

BYLAWS

8.2) The Board shall adopt Bylaws governing its procedures, including the time, place, and frequency of its regular the the meetings and proceedings of the Board, the officers of the Commission, committees, financial matters, and any other matters concerning the Commission that are not inconsistent with the provisions of this Agreement. Such Bylaws may be amended from time to time by the vote of at least two-thirds (2/3) of all Directors or their authorized proxies.

8.3) Special meetings of the Board may be called (a) by the Chair or (b) by the Operating Committee, or the Board upon written request of the majority of the Directors. Five (5) days’ written notice of special meetings shall be given to the Directors. Such notice shall include the agenda for the special meeting. Only matters set forth in the agenda shall be considered at a special meeting.

8.4) Notice of regular meetings of the Board shall be given to the Directors by the Secretary/Treasurer at least seven (7) days in advance and the agenda for such meetings shall accompany the notice. However, business at regular meetings of the Board need not be limited to matters set forth in the agenda.

ARTICLE 9.

OFFICERS

9.1) Number, Election, Qualifications—The officers of the Commission shall consist of a Chair, Vice Chair and a Secretary/Treasurer. Each officer shall be elected at the annual organizational meeting by the Board. The Chair and Vice Chair shall hold office for a two-year term and until his/her successor shall have been elected and have qualified or until—his/her—earlier—disqualification, death, resignation, or removal. The Secretary/Treasurer’s term shall commence on January 1 of the following year and end on December 31 twenty-four months later. All officers shall be Directors. New officers shall take office at the adjournment of the annual meeting of the Commission at which
they were elected, with the exception of the Secretary/Treasurer who shall take office on the first day of January of the following year. Not more than one (1) Director of a Member shall be elected an officer during the same term. Directors of a Member that have given notice of withdrawal shall not be eligible to become officers or to vote on the selection of officers. Any officer who ceases to be a Director shall at the same time cease to be an officer. Officers may serve for more than one term.

9.2) Resignation – Any officer of the Commission may resign at any time by giving written notice of his/her resignation to the Board, to the Chair, or to the Secretary/Treasurer of this Commission. The resignation shall take effect at the time, if any, specified therein or, if no time is specified therein, upon receipt thereof by said Board Chair, or to the Secretary/Treasurer. The acceptance of a resignation shall not be necessary to make it effective.

9.3) Removal – Any officer may be removed, with or without cause, by a vote of four-fifths (4/5) of the total number of Directors, at any meetings of the Board, provided that such purpose is stated in the notice or waiver of notice of the meeting unless all of the Directors of this Commission are present at the meeting.

9.4) Vacancies – A vacancy in any office because of disqualification, death, resignation, or removal shall be filled for the unexpired portion of the term in the manner prescribed herein for election to that office.

9.5) Chair; Vice Chair – The Chair shall preside at all meetings of the Commission and shall perform all duties incident to the office of Chair and such other duties as may be delegated by the Commission. The Vice Chair shall act as Chair in the absence of the Chair. The Chair shall be an elected Director and the Vice Chair shall be an appointed Director who shall also serve as Chair of the Operating Committee.

9.6) Secretary/Treasurer – The Secretary/Treasurer shall be a Director who is a member of the Operating Committee. He/She shall be responsible for keeping a record of all of the proceedings of the Commission and Operating Committee. The Secretary/Treasurer shall send written notice and material pertaining to agenda items to each Director. He/She shall have custody of the Commission’s funds, shall pay its bills, and keep its financial records, and generally conduct the financial affairs of the Commission. The Secretary/Treasurer shall be responsible for the activities provided by Section 6.10. The Secretary/Treasurer shall be responsible for such other matters as shall be delegated to him/her by the Commission. Orders, checks, and drafts of the Commission shall be issued in accordance with the financial practices applicable to the member city from which the Secretary/Treasurer is elected. In conducting the Commission’s financial affairs, the Secretary/Treasurer shall, at all times, act in accordance with general accepted accounting principles. The Secretary/Treasurer’s reports, including any bills or claims to be acted upon by the Commission, shall be distributed to all Directors. Any persons may be engaged to perform such services under the Secretary/Treasurer’s supervision and direction, when authorized by the Commission.

9.7) Other officers – The Commission may appoint such other officers as it deems necessary. All such officers shall be Directors.
9.8) — Committees — The Commission may appoint such committees as it deems necessary or desirable to accomplish its purposes.

**ARTICLE 10.**
OPERATING COMMITTEE

10.1) Qualifications — The Operating Committee of the Commission shall consist of the City Manager or Administrator Director appointed by each Member Director of the Members.

10.2) Authority — The Operating Committee shall have the authority to manage, make recommendations to the Board regarding the property, operations, affairs, and business of the Commission between Commission meetings, to the extent specifically delegated by the Board. Except as provided in the Bylaws or by Board resolution, the Operating Committee shall not have the authority of the Board, but at all times, the Operating Committee shall be subject at all times to the control and direction of the Board.

10.3) Meetings — The Operating Committee shall meet monthly at a time and place to be determined by the Operating Committee. Special meetings may be called by the Vice Chair or by any other two (2) members of the Operating Committee or by the Commission. The date and place of the special meeting shall be fixed by the person or persons calling it. At least seventy-two (72) hours (from the time of mailing) advance written notice of a special meeting shall be given to all members of the Operating Committee by the person or persons calling the meeting. The notice shall state the matters to be considered at the special meeting and only those matters shall be considered at that meeting.

10.4) Personnel — The Operating Committee shall have authority to hire, supervise, and discharge full- or part-time employees but their compensation shall be within budget limitations. The Operating Committee may make any required employer contributions which local government units are authorized or required to make by law.

**ARTICLE 11.**
FINANCIAL MATTERS

11.1) Commission funds may be expended by the Board in accordance with the procedures established by law for the expenditure of funds by Minnesota statutory cities. Legal instruments shall be executed with authority of the Board, by any two (2) officers.

11.2) The financial contributions of the Members in support of the Commission shall be per capita. Each of the Members shall pay to the Commission an amount to be determined by the Board annually based upon the most recent Metropolitan Council population estimates. The financial contributions of Associate Members shall be determined by the Board. These amounts may be used by the Commission to pay all legal and consultant costs and expenses and other expenses as approved by the Board. The Board may authorize changes in the per capita and maximum charge for all members upon majority vote.
11.3) A proposed budget shall be formulated by the Board and submitted to the Members on or before August 1 of each calendar year. Such budget shall be deemed approved by a Member unless, prior to September 15 of the year involved, the Member gives notice in writing to the Chair that it is withdrawing from the Commission. Final action adopting a budget for the ensuing calendar year shall be taken by the Board on or before November 1 of each year.

11.4) Any Member may inspect and copy the Commission books and records at any and all reasonable times. All books and records shall be kept in accordance with normal and accepted accounting procedures and principles used by Minnesota statutory cities.

ARTICLE 12.

ARTICLE 10.
WITHDRAWAL

12.1) 10.1) Withdrawal — Any Member or Associate Member may withdraw from this Agreement the Commission effective on January 1 of any year by giving notice pursuant to Section 2 of this Article 10.2 below prior to September 15 of the preceding year.

12.2) 10.2) Notice — In order to effectuate a withdrawal, a Member or Associate Member withdrawing from the Commission shall give written notice to the Chair of the Commission, served personally on the Chair in writing or addressed by e-mail to the Chair at the address shown on the records of both the Commission’s Chair and by giving such to the Commission’s Executive Director. Such notice shall include a copy of a resolution of its Council stating its decision to withdraw from the Commission. The withdrawal shall be effective upon receipt by the Chair of such notice and resolution. The withdrawing Member shall have the responsibility for such actual receipt by the Chair. Upon receipt of such notice and resolution, the Chair of the Commission shall forward a copy of the notice and resolution to each Director. Any notice of withdrawal not actually received by the Chair in writing or addressed by e-mail to the Chair at the address shown on the records of both the Commission’s Chair and by giving such to the Commission’s Executive Director shall not be effective on January 1 of the subsequent calendar year unless the notice deadline is waived by a resolution of the Board.

12.3) 10.3) Financial Effect of Withdrawal — No financial benefit shall inure to a Member or Associate Member that withdraws. A Member who withdraws effective as of January 1 of a calendar year shall not be obligated to pay dues to the Commission for such calendar year. A withdrawing Member shall not be entitled to any payment or financial benefit from this Commission nor shall there be entitled to any refund or reimbursement for any dues or other contribution made or required of by the withdrawn withdrawing Member by this Agreement.
ARTICLE 13

AMENDMENTS

13.1) This agreement may be amended only by the written approval of the City Councils of each member city.

ARTICLE 14

DISSOLUTION

14.1) Duration of Commission — The Commission shall be dissolved if less than four (4) Members remain, or by operation of state or federal law or regulation, now or hereafter enacted, or by mutual signed agreement of all of the remaining Members.

14.2) Distribution of Assets — Upon dissolution of the Commission, all remaining assets of the Commission, after payment of all obligations, shall be distributed among the Members that are Members of the Agreement at the time of dissolution, in proportion to their respective dues paid in the most recent full calendar year, and in accordance with procedures established by the Commission Board of Directors. The Commission shall continue to exist after dissolution for such period, no longer than six (6) months, as is necessary to wind up its affairs, but for no other purposes.

ARTICLE 12

AMENDMENTS

This Agreement may be amended only by the unanimous written approval of the Councils of all Members.

IN WITNESS WHEREOF, The municipality of _______________________ has joined in and caused the counterpart of this Agreement to be signed on its behalf this _____ day of ____________, 2021.

By: ____________________________
Its: Mayor
Its: City Manager

By: ______________________
Input:

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JOINT AND COOPERATIVE AGREEMENT

PRELIMINARY STATEMENT

The parties to this Agreement are governmental units of the State of Minnesota. Minnesota Statutes Section 471.59 permits two or more sub-units, by agreement of their governing bodies, to jointly and cooperatively exercise any power common to each of them. Pursuant to statutory authorization, the parties to this Agreement have chosen to execute a joint powers agreement providing, in essence, for the development of legislative programs on matters of mutual concern and interests.

ARTICLE 1.
GENERAL PURPOSE

The primary purpose of this Agreement is for the member municipalities (the “Members”) to jointly and cooperatively develop legislative programs on matters of mutual concern and interest, and to identify, review, and actively oppose proposals which may be in conflict with the interests of the Members.

The organization formed pursuant to this Agreement will be funded by Members’ contributions, as herein specified, with contributions being used for the retention of professional assistance, information preparation and dissemination, research, and other activities that may from time to time be authorized by the governing body of the organization.

ARTICLE 2.
NAME

The Members hereto agree to establish an organization to be known as the Municipal Legislative Commission (the “Commission”) to carry out the objectives of this Agreement.

ARTICLE 3.
DEFINITION OF TERMS

For the purpose of this Agreement, the terms defined in this Article shall have the meanings given them by this Article.

3.1) “Agreement” means this Joint and Cooperative Agreement, as amended from time to time and as joined by additional Members in the manner provided in Article 4 of this Agreement.
3.2) “Board” or “Board of Directors” means the governing body of the Commission.

3.3) “Bylaws” means the bylaws of the Commission adopted by the Board of Directors, as amended from time to time.

3.4) “Commission” means the organization created pursuant to this Agreement.

3.5) “Council” means the governing body of a Member.

3.6) “Directors” means the persons appointed pursuant to this Agreement to serve on the Board of Directors.

3.7) “Operating Committee” means the committee established pursuant to Article 9 of this Agreement.

3.8) “Member” means a municipality which has entered into this Agreement.

ARTICLE 4. ADDITIONAL MEMBERS

Following the effective date of this Agreement, any Minnesota municipality that is not then a Member may become an additional Member upon approval by a majority vote of all Directors. A municipality that has been approved to become an additional Member shall enter into this Agreement by duly executing a counterpart copy of this Agreement. The additional Member shall file the signed counterpart copy of this Agreement, together with a certified copy of the authorizing resolution of the additional Member’s Council, with the Commission’s Chair and Executive Director.

ARTICLE 5. EFFECTIVE DATE

The original effective date of this Agreement was February ___, 1984. It was most recently amended and restated effective as of ________, 2021.

ARTICLE 6. POWERS AND DUTIES OF THE COMMISSION

6.1) The powers and duties of the Commission shall include the powers set forth in this article.

6.2) The Commission may establish legislative programs embodying proposed legislation and positions on proposed legislation.

6.3) The Commission may take such action as it deems necessary and appropriate to accomplish the general purpose of the Commission.
6.4) The Commission may consult with persons knowledgeable in the legislative process and persons having a special interest therein, such as legislators, research organizations, educational institutions, other political subdivisions, municipal organizations, regulatory organizations, technical experts, and any other persons who can provide pertinent information concerning legislation of interest to the Commission.

6.5) The Commission may provide for the prosecution, defense, or other participation in actions or proceedings at law in which it may have an interest, and may employ counsel for that purpose.

6.6) The Commission may conduct such research and investigation and take such action as it deems necessary, including participation and appearance in proceedings of any metropolitan, state, federal, regulatory, or legislative or administrative bodies, on any proposed or existing law, bill, or recommendation related to or affecting any or all Members.

6.7) The Commission may enter into any contracts deemed necessary by the Board to carry out the Commission’s powers and duties, subject to the provisions of this Agreement.

6.8) The Commission may contract with any of the Members or others to provide space, services, or materials on its behalf. Any contracts let or purchases made shall conform to the requirements applicable to Minnesota statutory cities.

6.9) The Commission may accept gifts, apply for use grants, enter into agreements required in connection therewith and hold, use and dispose of money or property received as a gift or grant in accordance with the terms thereof.

6.10) The Commission may exercise any other powers necessary or incidental to the implementation of its powers and duties.

ARTICLE 7.
BOARD OF DIRECTORS

7.1) The governing body of the Commission is its Board of Directors. Each Member is entitled to appoint two (2) Directors. The Council of each Member shall appoint its two Directors, one of whom shall be the Member’s City Manager or Administrator (the Member’s “appointed Director”) and the other of whom shall be the Mayor or another elected official from the Council of the Member (the Member’s “elected Director”). Each Member is entitled to one vote on each matter to come before the Board, to be cast by the Member’s elected Director or, in his or her absence, by the Member’s appointed Director or by a proxy designated under Section 7.2 below. Directors shall serve without compensation from the Commission, but this shall not prevent a Member from compensating one or both of its Directors for service on the Board, if such compensation is authorized by the Member and is not prohibited by law.

7.2) Proxy voting by Directors shall be permitted. A proxy must be designated in writing by a Member’s elected Director or, in the elected Director’s absence, by the Member’s
appointed Director. Any individual designated as a proxy must be present at the meeting to vote.

7.3) Each Director shall serve until that Director’s successor is appointed and assumes his or her responsibilities. Directors shall serve at the pleasure of the Member appointing them. When the Council of a Member appoints a Director, it shall give notice of such appointment in writing or by e-mail to both the Commission’s Chair and the Commission’s Executive Director. Such notice shall include the mailing address and e-mail address of the Director so appointed. The names and addresses shown on such notices may be used as the official names and addresses for the purposes of giving notices of any meetings of the Board.

7.4) A majority of the Members represented by at least one (1) Director or proxy entitled to vote shall constitute a quorum for conducting business at a meeting of the Board.

7.5) A vacancy on the Board shall be filled by the Council of the Member whose position on the Board is vacant. During the time that one or more vacancies exist, the Board shall continue to have full power and authority to conduct business and a majority of the Members represented by at least one (1) Director or proxy entitled to vote shall be sufficient to constitute a quorum.

7.6) The Board of Directors may delegate its authority to the Operating Committee between meetings of the Board. Such delegation of authority shall be by resolution of the Board or as provided in the Bylaws and may be conditioned in such manner as the Board may determine.

7.7) Meetings and proceedings of the Board shall be conducted as set forth in the Bylaws.

ARTICLE 8.
BYLAWS

The Board shall adopt Bylaws governing the meetings and proceedings of the Board, the officers of the Commission, committees, financial matters, and any other matters concerning the Commission that are not inconsistent with the provisions of this Agreement. Bylaws may be amended from time to time by the vote of at least two-thirds (2/3) of all Directors or their authorized proxies.

ARTICLE 9.
OPERATING COMMITTEE

The Operating Committee of the Commission shall consist of the appointed Directors of the Members. The Operating Committee shall make recommendations to the Board regarding the property, operations, affairs and business of the Commission. Except as provided in the Bylaws or by Board resolution, the Operating Committee shall not have the authority of the Board. The Operating Committee shall be subject at all times to the control and direction of the Board.

ARTICLE 10.
WITHDRAWAL

10.1) Withdrawal – Any Member may withdraw from the Commission effective on January 1 of any year by giving notice pursuant to Section 10.2 below prior to September 15 of the preceding year.

10.2) Notice – In order to effectuate a withdrawal, a Member withdrawing from the Commission shall give notice in writing or by e-mail to both the Commission’s Chair and the Commission’s Executive Director. Such notice shall include a copy of a resolution of the withdrawing Member’s Council stating its decision to withdraw from the Commission. Upon receipt of such notice and resolution, the Chair of the Commission shall forward a copy of the notice and resolution to each Director. Any notice of withdrawal not actually received by the Chair at least 105 days prior to the first day of any calendar year shall be effective on January 1 of the subsequent calendar year unless the notice deadline is waived by a resolution of the Board.

10.3 Financial Effect of Withdrawal – A Member who withdraws effective as of January 1 of a calendar year shall not be obligated to pay dues to the Commission for such calendar year. A withdrawing Member shall not be entitled to any payment or financial benefit from the Commission and shall not be entitled to any refund or reimbursement for any dues or other contribution made by the withdrawing Member.

ARTICLE 11.
DISSOLUTION

11.1) Duration of Commission – The Commission shall be dissolved if less than four (4) Members remain, or by operation of state or federal law or regulation, now or hereafter enacted, or by mutual signed agreement of all remaining Members.

11.2) Distribution of Assets – Upon dissolution of the Commission, all remaining assets of the Commission, after payment of all obligations, shall be distributed among the Members that are Members of the Commission at the time of dissolution, in proportion to their respective dues paid in the most recent full calendar year, and in accordance with procedures established by the Board of Directors. The Commission shall continue to exist after dissolution for such period, no longer than six (6) months, as is necessary to wind up the Commission’s affairs, but for no other purposes.

ARTICLE 12.
AMENDMENTS

This Agreement may be amended only by the unanimous written approval of the Councils of all Members.
IN WITNESS WHEREOF, the municipality of _______________________ has joined in and caused a counterpart of this Agreement to be signed on its behalf this ___ day of ___________, 2021.

By:_________________________  
Its: Mayor

By:_________________________  
Its: City Manager
The Municipal Legislative Commission (the “MLC”) operates pursuant to a Joint and Cooperative Agreement (the “JCA”) among the MLC member municipalities (the “Members”). The Board of Directors of the MLC has approved certain amendments to the JCA and has submitted a proposed form of amended and restated JCA to the Members for approval. Amendments to the JCA require unanimous written approval of the governing councils of all Members.

The following is a summary of the proposed substantive amendments to the JCA:

- Provisions regarding Board meetings, financial information, officers and committees are moved to the Bylaws. (The Bylaws can be amended by a 2/3 vote of the Board of Directors and do not need to be approved by all Members.)
- The concept of Associate Members has been eliminated.
- Additional Members can be admitted by majority vote of the Board of Directors rather than majority vote of the Members.
- The requirement of annual audits is eliminated. (The Bylaws will require audits at least every other year.)
- The requirement of an annual meeting of Members is eliminated.
- Email communication is added as an option in giving formal notices.
- The authority of the Operating Committee is limited to making recommendations to the Board of Directors. The Operating Committee will not have authority to make binding decisions for the MLC unless granted that authority by specific Board resolution.
- Any Member who chooses to withdraw from the MLC is obligated to pay dues for the year of withdrawal unless notice of withdrawal is given to the MLC Chair and Executive Director at least 105 days prior to the first day of the next calendar year.
- Upon dissolution and liquidation of the MLC, the remaining assets will be distributed to the Members in proportion to their respective dues paid in the most recent full calendar year.
Council Letter 22-14

January 12, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Designating Depository of Public Funds

Summary

Minnesota State Statues 118A.02 requires the City Council to designate the City's depository of public funds. The City and CorTrust Bank extended the current banking service agreement in June of 2021 for three years until October 1, 2024.

Recommendation

Staff recommends Council adopt a motion designating CorTrust Bank as the City's depository of public funds for the year 2022.

Fiscal Implications

The interest income and fees per the agreement are accounted for in the 2022 budget.

Policy

In accordance with investment policy, this action affirms staff's recommendation to designate CorTrust as the City's depository of public funds.

Public Process

This is the first public process for this item.

Background

Not Applicable.

Written By: Lynn Haseleu, Budget Manager and Kyle Sawyer, Interim Controller
Approved Through: Angela Gorall, Assistant City Administrator
Council Letter 22-15

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of Labor Contract between the City of Woodbury and the Woodbury Police Officers Association

Summary

The labor contract between the City of Woodbury and the Woodbury Police Officers Association ended on December 4, 2021. An agreement has been reached for a three year contract (2022, 2023, and 2024) with multiple changes. The labor contract was approved by the Union members and is described in this Council Letter for your consideration.

Recommendation

Staff recommends Council adopt the attached resolution approving the labor contract between the City of Woodbury and the Woodbury Police Officers Association and authorize required signatures.

Fiscal Implications

The agreement calls for the implementation of new Step wages, adjust to longevity pay and general wage increases of 2.5% for 2022, 3% in 2023 and 3% in 2024.

The general wage increase cost impact for 2022 is estimated at $124,900. The 2022 Adopted Budget (General Fund Police Division) did account for this general wage increase.

The increase to the Step wages and longevity pay (approximate cost of $120,800) is proposed to be accommodated through staff turnover or other budgeted areas of underspending.

Policy

City of Woodbury and Woodbury Police Officers Association Labor Contract
Minnesota Statutes 179A.01 Public Employee Labor Relations Act

Public Process

The City Council met several times during 2021 in Closed Session for strategic direction to staff as allowed by Statute. The City Council meeting will be the first public process for this item.
Background

The City negotiation and labor contract process is governed by Minnesota Statutes 179A.01 Public Employee Labor Relations Act. The City has an obligation to meet and negotiate in good faith with the intent of entering into a contract of terms and conditions of employment.

The City of Woodbury has three bargaining units, the Woodbury Police Officers Association (Police Officers) and International Association of Firefighters (IAFF) are essential units of employees under PELRA which mean that these groups are eligible for binding arbitration.

The remaining bargaining unit is the International Union of Operating Engineers Local No. 49 (IUOE Local 49) (Public Service Workers – Streets, Utilities, Parks and Fleet Technicians). The bargaining unit is a non-essential unit of employees under PELRA and is not eligible for binding arbitration. All other employees are unrepresented.

The IUOE Local 49 and Police Officers bargaining units have settled for the same base wage general wage increase in 2022 (2.5%), 2023 (3%) and 2024 (3%). Unrepresented employees also received a 2.5% general wage increase in 2022. The City has not completed a negotiated settlement yet with IAFF.

Staff received preliminary direction from the City Council on the bargaining direction in 2021 and then negotiated the contract with the Union. As is the normal practice, once a settlement has been reached, staff brings the contract back to the City Council for final approval.

The proposed contract includes the following changes. The Union has approved the contract. Please note, the start date of this particular contract is determined based upon the end date of the last contract and not the actual beginning date of a new year.

1) APPENDIX A WAGES

- The following Step wage amounts to be implemented upon the beginning of the payroll that includes the start date of the contract.

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- In the event that there are employees with current wages that are lower than the proposed step, the employees wage would not reduce to the new amount but would remain the same until movement to the next Step.

General wage increases of:
- 12/5/21: 2.5% (already included in above numbers)
- 12/4/22: 3% (already included in above numbers)
- 12/3/23: 3% (already included in above numbers)
(2) ARTICLE 29 - LONGEVITY PAY

- Implement the following changes:

29.01 The EMPLOYER agrees to pay longevity pay as per the following:

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29.02 The City Administrator may establish a higher level of longevity for new employees. An employee may be granted credit for past law enforcement experience for placement in the longevity schedule.

(3) ARTICLE 34 – DURATION

- A duration of three years. December 5, 2021 through November 30, 2024.

(4) CONTRACT CHANGES

ARTICLE 20 - SICK LEAVE

20.04 Each employee in order to be eligible for sick leave pay shall report to the Chief of Police or his duly appointed assistant at his home or office, prior to the start of his scheduled shift the reason for the use of sick leave, notify an on-duty supervisor as soon as practicable prior to the start of their scheduled shift. The supervisor will be considered notified when they respond back to the employee that the message was received.

20.06 The City Administrator may establish an accrued sick leave bank for new employees, at his or her discretion.

ARTICLE 23 - TRAINING

23.01 The EMPLOYER will post announcements of those training schools to which employees may be sent. Selection of attendees will be made by the Chief of Police. Genuine effort shall be made to send as many employees to school as practicable.

Add Memorandums of Understanding agreed upon since the last contract.

Written By: Jody Brown, Human Resources Manager
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Approving the Labor Contract between the City of Woodbury and the Woodbury Police Officers Association and Authorize Required Signatures

WHEREAS, the labor contract between the City of Woodbury and the Woodbury Police Officers Association ended on December 4, 2021; and

WHEREAS, an agreement has been reached for a three year agreement (2022, 2023 and 2024).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve a contract between the City of Woodbury and the Woodbury Police Officers Association and authorize the appropriate signatures.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-16

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of Labor Contract between the City of Woodbury and the International Union of Operating Engineers, Local 49

Summary

The labor contract between the City of Woodbury and the International Union of Operating Engineers, Local 49 (IUOE Local 49) ended on December 31, 2021. An agreement has been reached for a three year contract (2022, 2023, and 2024) with multiple changes. The labor contract was approved by the Union members and is described in this Council Letter for your consideration.

Recommendation

Staff recommends Council adopt the attached resolution approving the labor contract between the City of Woodbury and the International Union of Operating Engineers, Local 49 and authorize required signatures.

Fiscal Implications

The agreement calls for the implementation of new Step wages, a general wage increase of 2.5% for 2022, 3% in 2023, and 3% in 2024.

The general wage increase cost impact for 2022 is estimated at $99,700. The 2022 Adopted Budget did account for the general wage increase. The increase to the Step wages (approximate cost of $112,000) is proposed to be accommodated through staff turnover or other budgeted areas of underspending.

Policy

City of Woodbury and International Union of Operating Engineers, Local 49 Contract Minnesota Statutes 179A.01 Public Employee Labor Relations Act

Public Process

The City Council met several times during 2021 in Closed Session for strategic direction to staff as allowed by Statute. The City Council meeting will be the first public process for this item.
Background

The City negotiation and labor contract process is governed by Minnesota Statutes 179A.01 Public Employee Labor Relations Act. The City has an obligation to meet and negotiate in good faith with the intent of entering into a contract of terms and conditions of employment.

The City of Woodbury has three bargaining units, the Woodbury Police Officers Association (Police Officers) and International Association of Firefighters (IAFF) are essential units of employees under PELRA which mean that these groups are eligible for binding arbitration.

The remaining bargaining unit is the International Union of Operating Engineers Local No. 49 (IUOE Local 49) (Public Service Workers – Streets, Utilities, Parks and Fleet Technicians). The bargaining unit is a non-essential unit of employees under PELRA and is not eligible for binding arbitration. All other employees are unrepresented.

The IUOE Local 49 and Police Officers bargaining units have settled for the same base wage general wage increase in 2022 (2.5%), 2023 (3%) and 2024 (3%). Unrepresented employees also received a 2.5% general wage increase in 2022. The City has not completed a negotiated settlement yet with IAFF.

Staff received preliminary direction from the City Council on the bargaining direction in 2021 and then negotiated the contract with the Union. As is the normal practice, once a settlement has been reached, staff brings the contract back to the City Council for final approval.

The proposed contract includes the following changes. The Union has approved the contract.

(1) ARTICLE XXXVIII – DURATION

- Duration of three years.

This AGREEMENT shall be effective as of January 1, 2019, and shall remain in full force and effect until the 31st day of December, 2021.

(2) APPENDIX A WAGES

- The following Step wage amounts to be implemented upon the beginning of the payroll that includes 1/1/22.

- The system will be an 8-year, 7-step system with 2 career development steps (Step 6 and Step 7).

- Remove Meter Reader from the bargaining unit.

- Modify Step Program to match the above.

- General wage increases of:
  - 1/1/22: 2.5% (already included in the below numbers)
  - 1/1/23: 3% (already included in the below numbers)
  - 1/1/24: 3% (already included in the below numbers)
APPENDIX A -- WAGES

January 1, 2022 – December 31, 2022 – 2.5%

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January 1, 2023- December 31, 2023 - 3%

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January 1, 2024- December 31, 2024 - 3%

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(3) APPENDIX A BASE WAGES ASSIGNMENT PAYS

- Increase Leadworker pay by $0.50 effective 1/1/22, $0.50 effective 1/1/23 and $0.50 effective 1/1/24:
  
  b. Leadworker differential shall be $.50/1.00 (2022) $1.50 (2023) $2.00 (1/1/24) hour above Step 7 while assigned the Leadworker role. This assignment is at the sole discretion of the City and can be assigned, rotated or removed at any time.

- Assignment pay differential shall be $1.00 above current pay while assigned. This assignment is at the sole discretion of the City and can be assigned, rotated or removed at any time.

(4) ARTICLE XXXI – UNIFORMS CLOTHING ALLOWANCE

- Implement the following changes:

  31.1 A minimum of five (5) uniform changes per week shall be provided by the EMPLOYER. Change lockers shall also be provided. In the event an employee desires more than five (5) changes per week, the employee will pay the additional cost.

  If the employee does not elect the above rental arrangement, the EMPLOYER shall provide each employee with an annual clothing allowance for required uniforms and related items in the amount of $250.00 each contract year (to be paid in January of the contract year).
(5) **ARTICLE XVII – PROBATIONARY PERIODS**

- Implement the following changes:

17.1 All newly hired or rehired employees will serve an one (1) year eighteen (18) month probationary period. If employee performances are found to be marginal during the probationary period, the City Administrator at the City’s sole discretion may extend the probationary period for a period of six months.

17.2 All transferred or promoted employees will serve a minimum of a six (6) month and a maximum of a nine (9) month one year probationary period.

(6) **ARTICLE XXVII – HOLIDAYS**

- Implement the following changes:

27.1 The following legal holidays will be observed as paid holidays:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year's Day</td>
<td>January 1st</td>
</tr>
<tr>
<td>Martin Luther King Jr. Day</td>
<td>3rd Monday in January</td>
</tr>
<tr>
<td>Presidents' Day</td>
<td>3rd Monday in February</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4th</td>
</tr>
<tr>
<td>Labor Day</td>
<td>1st Monday in September</td>
</tr>
<tr>
<td>Columbus Day</td>
<td>2nd Monday in October</td>
</tr>
<tr>
<td>Veterans Day</td>
<td>November 11th</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>4th Thursday in November</td>
</tr>
<tr>
<td>Day after Thanksgiving Day</td>
<td>4th Friday in November</td>
</tr>
<tr>
<td>Christmas Eve Day</td>
<td>December 24th</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25th</td>
</tr>
</tbody>
</table>

27.2 If New Year’s Day, Independence Day, Veterans Day, Christmas Eve Day or Christmas Day fall on a Sunday the following Monday shall be observed as a legal holiday pursuant to Section 27.1.

27.3 If New Year’s Day, Independence Day, Veterans Day, Christmas Eve Day or Christmas Day fall on a Saturday the preceding Friday shall be observed as a legal holiday pursuant to Section 27.1.

(7) **ARTICLE XXI – SICK LEAVE**

- Implement the following changes:

21.1 Sick leave with pay shall be granted to all probationary and regular employees at the rate of eight (8) hours for each calendar month of full time service or major fraction thereof, except that sick leave granted probationary employees shall not be available for use until after one (1) full month of full time employment.

(8) **ARTICLE XXIV – VACATION**

- Implement the following changes:
24.4 Vacation leave may be taken as accrued after completion of six (6) full months of employment. The Department Head or his/her designee shall approve all vacation leave.

(9) **CENTRAL PENSION FUND CHANGES**

- Implement proposed housekeeping changes.

Add Memorandums of Understanding agreed upon since the last contract.

Written By: Jody Brown, Human Resources Manager
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Labor Contract between the City of Woodbury and the
International Union of Operating Engineers, Local 49 and Authorize Required Signatures

WHEREAS, the labor contract between the City of Woodbury and the
International Union of Operating Engineers, Local 49 ended on December 31, 2021; and

WHEREAS, an agreement has been reached for a three year agreement (2022, 2023 and 2024).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Woodbury, Washington County, Minnesota to approve a contract between the City of Woodbury
and the International Union of Operating Engineers, Local 49 and authorize the appropriate
signatures.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest:                          Anne W. Burt, Mayor

______________________________
Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-17

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Consideration of the Non-Disciplinary Employment Removal of Tim Thurmes

Summary

Tim Thurmes has been employed by the City of Woodbury since December 1988 in several capacities, most recently as Streets Manager in the Public Works Department. Staff is recommending the non-disciplinary employment removal of Tim Thurmes for the inability to accomplish the essential functions, duties and responsibilities of the Streets Manager position.

This item will be placed upon the City Council Consent Agenda with no discussion. Tim Thurmes was advised on his ability to address the City Council before their final decision on the recommendation if he so chooses. Staff does not have any information that indicates that Tim Thurmes wishes to do so.

If the Council decides to take action on City Administrator’s recommendation, it will take such action through a resolution and vote of the City Council on the consent agenda.

Recommendation

Staff recommends Council adopt the attached resolution accomplishing the non-disciplinary employment removal of Tim Thurmes as Streets Manager effective January 12, 2022.

Policy


Written By: Jody Brown, Human Resources Manager
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Accomplishing the Non-Disciplinary Removal from Employment of Tim Thurmes,
Streets Manager, Effective January 12, 2022

WHEREAS, Tim Thurmes has been employed by the City of Woodbury since December 15, 1988 in several positions; and

WHEREAS, Staff is recommending the non-disciplinary removal of Tim Thurmes from employment with the City of Woodbury for his inability to perform the essential functions, duties, and responsibilities of the Streets Manager position.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, that the City of Woodbury hereby elects to accomplish the non-disciplinary removal from employment of Tim Thurmes, effective January 12, 2022.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

_______________________________________
Clinton P. Gridley, City Administrator (SEAL)
Supplemental Council Letter 22-18

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Wooddale Fun Zone Conditional Use Permit, Project No. 18-2021-00465

Summary

Peter Corniea has submitted an application for a Conditional Use Permit for two new commercial recreation uses over 5,000 square feet within the existing building located at 2122 Wooddale Drive. The property is zoned I-1, Light Industrial District and is guided as Places to Work on the Land Use Plan.

Recommendation

The Planning Commission will review this application at their January 10, 2022 meeting. Findings from the meeting and recommended conditions of approval will be provided via a supplemental Council Letter.

The Planning Commission reviewed this application at their January 10, 2022 meeting. At that time they recommended approval of the Wooddale Fun Zone by a 6-0 vote. Staff concurs with the Planning Commission recommendation and recommends Council approve the Conditional Use Permit (CUP) via the attached Resolution adopting the findings of fact; project number 18-2021-00465, subject to all the conditions outlined below:

1. The CUP approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. This approval does not include signs. A separate sign permit is required for all proposed signage.
3. Prior to the issuance of a building permit, a landscape financial security shall be submitted in accordance with the Zoning Ordinance.
4. No exterior storage shall be permitted.
5. All areas of the site, where practical, shall be sodded and maintained.
6. All ground mounted mechanical equipment shall be hidden from view with materials that match the materials and colors used on the building.
7. Any future trash enclosures shall utilize wooden gates and shall be constructed on three (3) sides using the same materials and patterns used on the building. The location shall be approved by the Planning Division.
8. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries or drive-through) shall be recessed and use a flush lens.

9. Prior to the issuance of a building permit, the Applicant shall submit a photometric plan with lumen levels identified throughout the site. The Applicant shall also submit all lighting specifications.

10. The Developer shall be responsible for obtaining any other permits necessary from other agencies, including MnDOT.

11. Prior to the issuance of a certificate of occupancy, staff shall review and approve the roof treatment including color and treatment of the existing metal.

12. Prior to the issuance of a building permit, staff shall review and approve a landscaping plan that addresses all areas identified within the staff report.

13. Prior to the issuance of a building permit, staff shall review and approve all fencing and netting materials and locations.

14. Prior to the issuance of a building permit, the Applicant shall record a cross parking agreement with the property to the north to assist in overflow needs.

15. Prior to the issuance of a building permit, the Applicant shall submit all specifications for the outdoor fields. Engineering staff shall review and determine if there is a need for stormwater management. Stormwater management plans must be reviewed and approved prior to the issuance of any permit.

Fiscal Implications

All necessary improvements will be constructed and funded by the Developer.

Policy

Chapter 24- Zoning

Public Process

Public Hearing Published — January 2, 2022
Planning Commission Meeting – January 10, 2022

Background

The Wooddale Recreation center was constructed in 1973 to be used for indoor tennis courts and a lounge area. In 1977, the building was expanded to provide additional recreation space and create the building found onsite today. During the original review, the Village of Woodbury approved the architecture, parking, site access, landscaping and the like.

The Applicant is proposing two new commercial recreation uses for each part of the building. The use of the southern portion of the building, the former roller skating rink, will be for a futsal program called Joy of the People. Joy of the People is a nonprofit that creates an inclusive soccer and futsal environment for kids and adults. Their programs include skills programs, small group classes, outdoor turf fields for camps, free play, and futsal leagues for all ages.
The second tenant of the northern part of the building, the former tennis & raquet club, will be 43 Hoops. 43 Hoops offers basketball and volleyball training, camps, clinics, tournaments and leagues. 43 Hoops will also host pickleball and overflow futsal events in their space as well. For more project information, see the staff report.

Written By: Gina McCormack, Associate Planner
Approved Through: Eric Searles, City Planner/ Assistant Community Development Director
Attachment: 1. Resolution
2. Planning Commission Staff Report- January 10, 2022
3. Conditional Use Permit
4. 11 x 17 Plans
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-18

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Wooddale Fun Zone Conditional Use Permit, Project No. 18-2021-00465

Summary

Peter Corniea has submitted an application for a Conditional Use Permit for two new commercial recreation uses over 5,000 square feet within the existing building located at 2122 Wooddale Drive. The property is zoned I-1, Light Industrial District and is guided as Places to Work on the Land Use Plan.

Recommendation

The Planning Commission will review this application at their January 10, 2022 meeting. Findings from the meeting and recommended conditions of approval will be provided via a supplemental Council Letter.

Written By: Gina McCormack, Associate Planner
Approved Through: Eric Searles, City Planner/Assistant Community Development Director
Attachment: 1. Planning Commission Staff Report- January 10, 2022
          2. 11 x 17 Plans
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Adopting Findings of Fact for
Wooddale Fun Zone
Project No. 18-2021-00465

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning and Zoning commission, the city staff, and other applicable advisory commissions or other governmental agencies; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the Comprehensive Plan; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the health, safety, and general welfare of occupants of surrounding lands; and

WHEREAS, the Planning Commission reviewed the request for a Conditional Use Permit at their January 10, 2022 meeting. At that time they recommended approval by a 6 to 0 vote. Staff concurs and recommends the City Council grant a Conditional Use Permit for the Wooddale Fun Zone project; and

WHEREAS, Section 24-43 of the Woodbury City Code identifies the findings necessary to grant approval of a Conditional Use Permit; and

WHEREAS, the City Council affirms the following findings of fact for the Conditional Use Permit for Wooddale Fun Zone:

(a) Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan.

The Guiding Principles chapter of the Comprehensive Plan identifies a principle to “Plan for Reinvestment and Redevelopment. As Woodbury ages, existing neighborhoods and commercial districts may need additional attention. Reinvestment and maintenance of both property and the infrastructure that serves it are required to ensure that Woodbury’s positive identity endures over time…”

The existing Wooddale Fun Zone building has a number of deferred maintenance items that are in need of attention and the Applicant is proposing to revitalize and reinvest in the building and the site by making aesthetic and other improvements, both internally and externally, and by reusing the building for economic viable uses. The new uses in the building will provide new recreation opportunities for residents.

(b) Health and safety. The proposed use shall not negatively impact the health, safety and general welfare of occupants of surrounding lands.

The facility has previously served as a commercial recreation use since the 1970s. The proposed use will not negatively impact the health, safety and general welfare of adjacent
properties. Prior to the issuance of a building permit, the Applicant shall obtain a cross-parking easement with the property to the north to ensure overflow parking is available during peak events.

(c) *Public infrastructure services.* Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.

The proposed use is located adjacent to Wooddale Drive which is designed and built to handle traffic from this use. The utilities necessary were installed as part of the original approval for the building.

(d) *Screening and landscaping.* Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance.

Prior to the issuance of a building permit, the Applicant shall submit a landscaping plan that softens the new field area and building facades from adjacent roadways.

(e) *Architectural standards.* The site or building associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance.

The existing building onsite was constructed prior to architectural standards being in place. The Applicant has made investments to improve the aesthetic of this building constructed in the early 1970s.

(f) *Zoning.* The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The property is zoned I-1, Light Industrial District. Commercial recreation uses greater than 5,000 square feet are listed as conditional uses in the I-1 Zoning District. The intent of the use being identified as conditional is to ensure adequate parking is available. Staff has recommended a new parking ratio for commercial recreation uses. This application is consistent with the new requirements.

(g) *Traffic.* The generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety associated with driveway locations, existing and proposed capacity on adjacent roads, sidewalks and trail connections can be adequately mitigated.

Wooddale Drive is designed and built to accommodate the traffic volumes for this use. The existing access points to the main roadways will remain in place and are meeting all engineering requirements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the Conditional Use Permit, Project No. 18-2021-00465 for Wooddale Fun Zone subject to the following conditions:

1. The CUP approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. This approval does not include signs. A separate sign permit is required for all proposed signage.
3. Prior to the issuance of a building permit, a landscape financial security shall be submitted in accordance with the Zoning Ordinance.
4. No exterior storage shall be permitted.
5. All areas of the site, where practical, shall be sodded and maintained.
6. All ground mounted mechanical equipment shall be hidden from view with materials that match the materials and colors used on the building.
7. Any future trash enclosures shall utilize wooden gates and shall be constructed on three (3) sides using the same materials and patterns used on the building. The location shall be approved by the Planning Division.
8. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries or drive-through) shall be recessed and use a flush lens.
9. Prior to the issuance of a building permit, the Applicant shall submit a photometric plan with lumen levels identified throughout the site. The Applicant shall also submit all lighting specifications.
10. The Developer shall be responsible for obtaining any other permits necessary from other agencies, including MnDOT.
11. Prior to the issuance of a certificate of occupancy, staff shall review and approve the roof treatment including color and treatment of the existing metal.
12. Prior to the issuance of a building permit, staff shall review and approve a landscaping plan that addresses all areas identified within the staff report.
13. Prior to the issuance of a building permit, staff shall review and approve all fencing and netting materials and locations.
14. Prior to the issuance of a building permit, the Applicant shall record a cross parking agreement with the property to the north to assist in overflow needs.
15. Prior to the issuance of a building permit, the Applicant shall submit all specifications for the outdoor fields. Engineering staff shall review and determine if there is a need for stormwater management. Stormwater management plans must be reviewed and approved prior to the issuance of any permit.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

__________________________
Clinton P. Gridley, City Administrator (SEAL)
PROPOSAL

Peter Corniea has submitted an application for a Conditional Use Permit for two new commercial recreation uses over 5,000 square feet within the existing building located at 2122 Wooddale Drive. The property is zoned I-1, Light Industrial District and is guided as Places to Work on the Land Use Plan.

BACKGROUND

The Wooddale Recreation center was constructed in 1973 with a total building square footage of 32,310 used for indoor tennis courts and a lounge area. In 1977, the building was expanded 28,790 square feet to provide additional recreation space and create the building found onsite today. During the original review, the Village of Woodbury approved the architecture, parking, site access, landscaping and the like.

PLANNING CONSIDERATIONS

Use – The Applicant is proposing two new commercial recreation uses for each part of the building. The use of the southern portion of the building, the former roller skating rink, will be for a futsal program called Joy of the People. Joy of the People is a nonprofit that creates an inclusive soccer and futsal environment for kids and adults. Their programs include- skills programs, small group classes, outdoor turf fields for camps, free play, and futsal leagues for all ages.
The second tenant of the northern part of the building, the former tennis & raquet club, will be 43 Hoops. 43 Hoops offers basketball and volleyball training, camps, clinics, tournaments and leagues. 43 Hoops will also host pickleball and overflow futsal events in their space as well.

**Conditional Use Permit** – A Conditional Use Permit is required for a commercial recreation uses over 5,000 square feet located within the I-1, Light Industrial District. City Code Section 24-43 outlines the guidelines for granting a Conditional Use Permit. Please reference the attached draft resolution for the required findings of fact.

**Site Access** – The Applicant is proposing to utilize the existing access points onto Wooddale Drive for vehicle access. There is currently no pedestrian access on Wooddale Drive, however the road is wide enough to accommodate pedestrians within the shoulder. A future road rehabilitation project may consider adding these facilities.

**Parking** – The ordinance does not identify a parking standard for commercial recreation uses. For uses not specifically identified, the ordinance defers identifies the ratio to be determined by the City Council following review and recommendation by the Planning Commission. After review of similar uses in other communities- staff determined a ratio of one stall per 300 square feet is appropriate for this use.

<table>
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<th>Use</th>
<th>Parking Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plymouth</td>
<td>Sports clubs</td>
<td>One space for each 300 square feet of floor space</td>
</tr>
<tr>
<td>Lakeville</td>
<td>Community center</td>
<td>10 spaces, plus one stall per 300 square feet over 2,000 square feet of floor space</td>
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With the new established parking requirement, the Applicant is required to provide 204 parking stalls. The Applicant is proposing to retain 215 stalls onsite. For peak events, the Applicant shall record a cross-parking agreement with the property owner to the north to proactively assist with overflow needs.
Additionally, the Applicant is proposing a mill, overlay and restriping of several areas of the parking lot. This shall be completed prior to the issuance of a Certificate of Occupancy.

**Architecture**—Since acquiring the building, the Applicant has made cosmetic improvements to the existing building façade including painting of the concrete and metal accents. The building was constructed prior to the City establishing architectural standards and consists of primarily precast concrete walls and metal panels. The Applicant shall also complete a roof treatment to the metal roof on the northern part of the building to unify the color and treat the existing metal. This shall be required to be completed prior to the issuance of a Certificate of Occupancy.

**Landscaping**—The Applicant is proposing to install three new outdoor turf soccer fields on the south side of the building. Prior to the issuance of a building permit, the Applicant shall submit a landscaping plan that softens the field area and the rear of the building, provides landscaping along Wooddale Drive, increases landscaping presence at the main entrance, and studies the installation of potential landscape medians where feasible in the parking lot. These areas are identified on the plan on the next page.
Staff shall also review and approve all final netting and fencing adjacent to the outdoor fields, as required by MnDOT.

RECOMMENDATION

Staff recommends approval of the Conditional Use Permit, Project No. 18-2021-00465, for Wooddale Fun Zone, subject to the following conditions:

1. The CUP approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. This approval does not include signs. A separate sign permit is required for all proposed signage.
3. Prior to the issuance of a building permit, a landscape financial security shall be submitted in accordance with the Zoning Ordinance.
4. No exterior storage shall be permitted.
5. All areas of the site, where practical, shall be sodded and maintained.
6. All ground mounted mechanical equipment shall be hidden from view with materials that match the materials and colors used on the building.
7. Any future trash enclosures shall utilize wooden gates and shall be constructed on three (3) sides using the same materials and patterns used on the building. The location shall be approved by the Planning Division.
8. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries or drive-through) shall be recessed and use a flush lens.
9. Prior to the issuance of a building permit, the Applicant shall submit a photometric plan with lumen levels identified throughout the site. The Applicant shall also submit all lighting specifications.
10. The Developer shall be responsible for obtaining any other permits necessary from other agencies, including MnDOT.
11. Prior to the issuance of a certificate of occupancy, staff shall review and approve the roof treatment including color and treatment of the existing metal.
12. Prior to the issuance of a building permit, staff shall review and approve a landscaping plan that addresses all areas identified within the staff report.
13. Prior to the issuance of a building permit, staff shall review and approve all fencing and netting materials and locations.
14. Prior to the issuance of a building permit, the Applicant shall record a cross parking agreement with the property to the north to assist in overflow needs.
15. Prior to the issuance of a building permit, the Applicant shall submit all specifications for the outdoor fields. Engineering staff shall review and determine if there is a need for stormwater management. Stormwater management plans must be reviewed and approved prior to the issuance of any permit.

ATTACHMENTS

1. Location Map
2. Resolution
3. Conditional Use Permit
4. 11 x 17s
Location Map
In accordance with the provisions of the Zoning Ordinance of the City of Woodbury, a Conditional Use Permit is hereby granted to Peter Corniea (hereinafter referred to as “Applicant”), for a commercial recreation use over 5,000 square feet. The location of said property being described as follows:

Lot 22-25, Block 3, Wooddale Center Industrial Park

In granting this Conditional Use Permit, the Woodbury City Council finds the above-described property is zoned I-1, Light Industrial District, which allows the approved use as a conditional use at their discretion. The Council finds that the Applicant meets the criteria of the ordinance as outlined in Resolution 22- adopted by the City Council on January 12, 2022 and is entitled to the issuance of a Conditional Use Permit for Wooddale Fun Zone, subject to the following conditions:

1. The CUP approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. This approval does not include signs. A separate sign permit is required for all proposed
3. Prior to the issuance of a building permit, signage.

3. Prior to the issuance of a building permit, a landscape financial security shall be submitted in accordance with the Zoning Ordinance.

4. No exterior storage shall be permitted.

5. All areas of the site, where practical, shall be sodded and maintained.

6. All ground mounted mechanical equipment shall be hidden from view with materials that match the materials and colors used on the building.

7. Any future trash enclosures shall utilize wooden gates and shall be constructed on three (3) sides using the same materials and patterns used on the building. The location shall be approved by the Planning Division.

8. All light poles, including base, shall be a maximum of 25 feet in height and shall be shoebox style, downward directed, with high-pressure sodium lamps or LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries or drive-through) shall be recessed and use a flush lens.

9. Prior to the issuance of a building permit, the Applicant shall submit a photometric plan with lumen levels identified throughout the site. The Applicant shall also submit all lighting specifications.

10. The Developer shall be responsible for obtaining any other permits necessary from other agencies, including MnDOT.

11. Prior to the issuance of a certificate of occupancy, staff shall review and approve the roof treatment including color and treatment of the existing metal.

12. Prior to the issuance of a building permit, staff shall review and approve a landscaping plan that addresses all areas identified within the staff report.

13. Prior to the issuance of a building permit, staff shall review and approve all fencing and netting materials and locations.

14. Prior to the issuance of a building permit, the Applicant shall record a cross parking agreement with the property to the north to assist in overflow needs.

15. Prior to the issuance of a building permit, the Applicant shall submit all specifications for the outdoor fields. Engineering staff shall review and determine if there is a need for stormwater management. Stormwater management plans must be reviewed and approved prior to the issuance of any permit.

By order of the City Council of the City of Woodbury, County of Washington, State of Minnesota, this Conditional Use Permit, Project No. 18-2021-00465 is executed by the affected parties on ________________, 2022.
CITY OF WOODBURY

_________________________________
Anne W. Burt, Mayor

_________________________________
Clinton P. Gridley, Administrator

STATE OF MINNESOTA  )
COUNTY OF WASHINGTON  )
) ss.

On this _____ day of ________________, 2022, before me, a Notary Public within and for said County, personally appeared Anne W. Burt and Clinton P. Gridley, to me personally known, being each by me duly sworn did say that they are respectively the Mayor and City Administrator of the City of Woodbury, the municipal corporation named in the foregoing instrument; and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council and Anne W. Burt and Clinton P. Gridley acknowledged said instrument to be the free act and deed of said municipal corporation.

Notary Public Date
DEVELOPER/APPLICANT

By___________________________________
Date_______________
Its ___________________________________

STATE OF )
 ) ss.
COUNTY OF___________ )

On this ______ day of ____________, 20___, before me, a Notary Public within and for said County personally appeared _________________________________, to me personally known, who being each by me duly sworn did say that s/he is respectively the ______________________ of _________________________________, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its _________________ and said ______________________ acknowledged said instrument to be the free act and deed of said corporation.

________________________________________________________________________    ____________________________
Notary Public                                      Date

Approved to Form:

________________________________________________________________________
City Attorney

THIS INSTRUMENT WAS DRAFTED BY
Scott J. Riggs, City Attorney
Kennedy & Graven Chartered
150 South Fifth Street, Suite 700
Minneapolis, MN 55402
EXISTING TOILET ROOM DEMOLITION PLAN

NEW TOILET ROOM FLOOR PLAN

TOILET ROOM NOTES:
1. WATER CLOSET
2. LAVATORY
3. GRAB BARS
4. TOILET PAPER HOLDER
5. SANITARY NAPKIN DISPENSER
6. HAND TOWEL DISPENSER
7. HAND TOWEL RACK
8. TOILET ROOM NOTES
9. WATER CLOSET
10. WALL HUNG URINAL
11. WALL HUNG CHANGING TABLE
12. PREFAB HDCP SHOWER 36" X 36"
13. HIGH/LOW WATER COOLER

REMOVE EXISTING FLOOR TILE TO REMAIN

REMOVE EXISTING CMU WALLS
Supplemental Council Letter 22-19

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Vacate Easement within Lot 1, Block 1, Brookview Road School

Summary

Brookview Elementary was approved to construct an addition that extends over an existing public water main and accompanying drainage and utility easement. As part of the project, the existing water main was relocated and a drainage and utility easement will be dedicated to the City encompassing the new location. The existing drainage and utility easement will no longer contain public infrastructure and is therefore being vacated.

The vacation of the existing easement shall be conditional upon the recording of the new drainage and utility easement and dedication to the City.

Recommendation

Staff recommends Council adopt the attached resolution authorizing to vacate the vacation of the drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota. Said vacation of the existing easement shall be conditional upon the recording of the new drainage and utility easement and dedication to the City.

Fiscal Implications

The developer has supplied funding for 100 percent of the advertising and recording costs of vacating the public easement.

Policy

Not applicable.

Public Process

January 2, 2022  Notice of public hearing published in local paper
January 9, 2022  Notice of public hearing published in local paper
January 12, 2022  Public Hearing
Background

A public hearing has been established for the January 12, 2021, City Council meeting to consider vacating the drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota.

Written By: Doug Novak, Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-19

January 12, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Public Hearing: Vacate Easement within Lot 1, Block 1, Brookview Road School

Summary

Brookview Elementary was approved to construct an addition that extends over an existing public water main and accompanying drainage and utility easement. As part of the project, the existing water main was relocated and a drainage and utility easement was dedicated to the City encompassing the new location. The existing drainage and utility easement will no longer contain public infrastructure and is therefore being vacated.

The vacation of the easement will be conditional upon the recording of the new easement.

Recommendation

Staff recommends Council adopt the attached resolution authorizing to vacate the drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota.

Fiscal Implications

The developer has supplied funding for 100 percent of the advertising and recording costs of vacating the public easement.

Policy

Not applicable.

Public Process

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 2, 2022</td>
<td>Notice of public hearing published in local paper</td>
</tr>
<tr>
<td>January 9, 2022</td>
<td>Notice of public hearing published in local paper</td>
</tr>
<tr>
<td>January 12, 2022</td>
<td>Public Hearing</td>
</tr>
</tbody>
</table>
Background

A public hearing has been established for the January 12, 2021, City Council meeting to consider vacating the drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota.

Written By:       Doug Novak, Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachment:       Resolution
Resolution 22-
Resolution of the City of Woodbury, Washington County, Minnesota

Vacate that part of the Drainage and Utility Easement Embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota

WHEREAS, the Stillwater School District #823’s expansion of the Brookview Elementary School requires the relocation of public water main and attached drainage and utility easement; and

WHEREAS, the City School District desires to vacate a public drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota, described as follows:

COMMENCING at the southeast corner of said Lot 1; thence on an assumed bearing of North 89 degrees 23 minutes 29 seconds West along the south line of said Lot 1 a distance of 400.18 feet; thence North 00 degrees 36 minutes 31 seconds East a distance of 338.19 feet to the POINT OF BEGINNING of Drainage and Utility Easement Area to be described; thence North 89 degrees 53 minutes 49 seconds East a distance of 24.42 feet; thence North 00 degrees 06 minutes 11 seconds East a distance of 13.78 feet; thence North 89 degrees 53 minutes 49 seconds East a distance of 26.63 feet; thence North 44 degrees 53 minutes 49 seconds East a distance of 36.61 feet; thence North 00 degrees 20 minutes 16 seconds West a distance of 199.38 feet; thence North 45 degrees 06 minutes 11 seconds West a distance of 68.52 feet; thence South 89 degrees 02 minutes 51 seconds West a distance of 69.19 feet; thence South 00 degrees 57 minutes 09 seconds East a distance of 25.00 feet; thence North 89 degrees 02 minutes 51 seconds East a distance of 44.86 feet; thence South 00 degrees 20 minutes 16 seconds East a distance of 182.81 feet; thence South 44 degrees 53 minutes 49 seconds West a distance of 38.17 feet; thence South 89 degrees 53 minutes 49 seconds West a distance of 31.56 feet; thence South 22 degrees 35 minutes 17 seconds East a distance of 21.65 feet to the POINT OF BEGINNING; and

WHEREAS, Council held a public hearing on January 12, 2022; and

WHEREAS, no objections to the vacation of said described easement were made known to the City Council; and

WHEREAS, it appears to be in the best interest of the public to vacate said easement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, that the drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota, be vacated conditional upon the recording of the new drainage and utility easement and dedication to the City. Said easement to be vacated described as follows:
Commencing at the southeast corner of said Lot 1; thence on an assumed bearing of North 89 degrees 23 minutes 29 seconds West along the south line of said Lot 1 a distance of 400.18 feet; thence North 00 degrees 36 minutes 31 seconds East a distance of 338.19 feet to the POINT OF BEGINNING of Drainage and Utility Easement Area to be described; thence North 89 degrees 53 minutes 49 seconds East a distance of 24.42 feet; thence South 00 degrees 06 minutes 11 seconds East a distance of 13.78 feet; thence North 89 degrees 53 minutes 49 seconds East a distance of 20.00 feet; thence North 00 degrees 06 minutes 11 seconds West a distance of 26.63 feet; thence North 44 degrees 53 minutes 49 seconds East a distance of 36.61 feet; thence North 00 degrees 20 minutes 16 seconds West a distance of 199.38 feet; thence North 45 degrees 06 minutes 11 seconds West a distance of 68.52 feet; thence South 89 degrees 02 minutes 51 seconds West a distance of 69.19 feet; thence South 00 degrees 57 minutes 09 seconds East a distance of 25.00 feet; thence North 89 degrees 02 minutes 51 seconds East a distance of 65.59 feet; thence South 45 degrees 06 minutes 11 seconds East a distance of 44.86 feet; thence South 00 degrees 20 minutes 16 seconds East a distance of 182.81 feet; thence South 44 degrees 53 minutes 49 seconds West a distance of 38.17 feet; thence South 89 degrees 53 minutes 49 seconds West a distance of 31.56 feet; thence South 22 degrees 35 minutes 17 seconds East a distance of 21.65 feet to the POINT OF BEGINNING be hereby vacated.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-
Resolution of the City of Woodbury, Washington County, Minnesota

Vacate that part of the Drainage and Utility Easement Embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota

WHEREAS, the Stillwater School District #823’s expansion of the Brookview Elementary School requires the relocation of public water main and attached drainage and utility easement; and

WHEREAS, the City desires to vacate a public drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota, described as follows:

COMMENCING at the southeast corner of said Lot 1; thence on an assumed bearing of North 89 degrees 23 minutes 29 seconds West along the south line of said Lot 1 a distance of 400.18 feet; thence North 00 degrees 36 minutes 31 seconds East a distance of 338.19 feet to the POINT OF BEGINNING of Drainage and Utility Easement Area to be described; thence North 89 degrees 53 minutes 49 seconds East a distance of 24.42 feet; thence South 00 degrees 06 minutes 11 seconds East a distance of 13.78 feet; thence North 89 degrees 53 minutes 49 seconds East a distance of 20.00 feet; thence North 00 degrees 06 minutes 11 seconds West a distance of 26.63 feet; thence North 44 degrees 53 minutes 49 seconds East a distance of 36.61 feet; thence North 00 degrees 20 minutes 16 seconds West a distance of 199.38 feet; thence North 45 degrees 06 minutes 11 seconds West a distance of 68.52 feet; thence South 89 degrees 02 minutes 51 seconds West a distance of 69.19 feet; thence South 00 degrees 57 minutes 09 seconds East a distance of 25.00 feet; thence North 89 degrees 02 minutes 51 seconds East a distance of 65.59 feet; thence South 45 degrees 06 minutes 11 seconds East a distance of 44.86 feet; thence South 00 degrees 20 minutes 16 seconds East a distance of 182.81 feet; thence South 44 degrees 06 minutes 11 seconds West a distance of 38.17 feet; thence South 89 degrees 53 minutes 49 seconds West a distance of 31.56 feet; thence South 22 degrees 35 minutes 17 seconds East a distance of 21.65 feet to the POINT OF BEGINNING; and

WHEREAS, Council held a public hearing on January 12, 2022; and

WHEREAS, no objections to the vacation of said described easement were made known to the City Council; and

WHEREAS, it appears to be in the best interest of the public to vacate said easement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, that drainage and utility easement, embraced within Lot 1, Block 1, Brookview Road School Addition, Washington County, Minnesota, described as follows:
Commencing at the southeast corner of said Lot 1; thence on an assumed bearing of North 89 degrees 23 minutes 29 seconds West along the south line of said Lot 1 a distance of 400.18 feet; thence North 00 degrees 36 minutes 31 seconds East a distance of 338.19 feet to the POINT OF BEGINNING of Drainage and Utility Easement Area to be described; thence North 89 degrees 53 minutes 49 seconds East a distance of 24.42 feet; thence South 00 degrees 06 minutes 11 seconds East a distance of 13.78 feet; thence North 89 degrees 53 minutes 49 seconds East a distance of 20.00 feet; thence North 00 degrees 06 minutes 11 seconds West a distance of 26.63 feet; thence North 44 degrees 53 minutes 49 seconds East a distance of 36.61 feet; thence North 00 degrees 20 minutes 16 seconds West a distance of 199.38 feet; thence North 45 degrees 06 minutes 11 seconds West a distance of 68.52 feet; thence South 89 degrees 02 minutes 51 seconds West a distance of 69.19 feet; thence South 00 degrees 57 minutes 09 seconds East a distance of 25.00 feet; thence North 89 degrees 02 minutes 51 seconds East a distance of 65.59 feet; thence South 45 degrees 06 minutes 11 seconds East a distance of 44.86 feet; thence South 00 degrees 20 minutes 16 seconds East a distance of 182.81 feet; thence South 44 degrees 53 minutes 49 seconds West a distance of 38.17 feet; thence South 89 degrees 53 minutes 49 seconds West a distance of 31.56 feet; thence South 22 degrees 35 minutes 17 seconds East a distance of 21.65 feet to the POINT OF BEGINNING be hereby vacated.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest: 

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-20

January 12, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Improvement Hearing: Lake Road 4-3 Lane Conversion Project; Approve Preliminary Report; Order Project; Authorize Preparation of Plans and Specifications; Authorize Preparation, Acquisition and if Necessary Condemnation of Easements

Summary

In order to provide a safe and efficient transportation system, the City is proposing to convert Lake Road between Woodlane Drive and Pioneer Drive from a 4 lane roadway to a 3 lane roadway with two-way center left turn lanes with a combination of roadway rehabilitation and restriping. These types of projects have been shown to reduce crashes, reduce vehicle speeds, and create a more accessible road for all users with no significant impact to vehicle capacity.

Council authorized the preparation of a preliminary report based on the amended scope on November 10, 2021, and the public improvement hearing was ordered on December 8, 2021. In order to proceed with the project, the Council is requested to hold the public improvement hearing, approve the preliminary report, order the project, authorize preparation of the plans and specifications, acquisition and if necessary condemnation of easements.

Recommendation

Staff recommends Council adopt the attached resolution approving the preliminary report, ordering the project, authorizing preparation of plans and specifications and authorizing preparation, acquisition and, if necessary, condemnation of easements for the Lake Road 4-3 Lane Conversion Project.

Fiscal Implications

The adopted 2021 Municipal State Aid Roadway Construction Fund Budget includes $2,060,000 for the Lake Road 4-3 Lane Conversion Project. The current estimated costs and funding for the Lake Road 4-3 Lane Conversion Project are shown below.

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Estimated Funding Preliminary Report Estimated Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal State Aid Roadway Construction Fund</td>
<td>$667,072.54</td>
</tr>
<tr>
<td>Highway Safety Improvement Program (HSIP) Grant</td>
<td>$1,620,000.00</td>
</tr>
<tr>
<td>Assessments¹</td>
<td>$7,077.37</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$2,294,149.91</strong></td>
</tr>
</tbody>
</table>

¹Based on City Policy CD-ENGPW-4.2 Roadway Construction and Rehabilitation Financing Policy. The calculated assessments are less than the benefit appraisal.
Cost estimates will be updated after the project is bid, and appropriate budget amendments will be requested if necessary.

Policy

The Lake Road 4-3 Lane Conversion Project follows the procedures set by Minnesota State Statutes regarding competitive bidding and special assessments.

Public Process

One property owner is considered a benefitted property based on the City’s assessment policy. That property owner was contacted by the City in November 2021. The anticipated project schedule for the Lake Road Rehabilitation and 4-3 Lane Conversion project is as follows:

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Road 4-3 Lane Conversion Study</td>
<td>July 2016</td>
</tr>
<tr>
<td>City authorizes SEH to prepare plans and specifications</td>
<td>November 9, 2020</td>
</tr>
<tr>
<td>Authorized preparation of preliminary report</td>
<td>November 10, 2021</td>
</tr>
<tr>
<td>InTouch message to residents with project information; Project website updated, one on one discussions with property owners</td>
<td>November / December 2021</td>
</tr>
<tr>
<td>Approve preliminary report, hold public improvement hearing, order project, and authorize preparation and acquisition of easements</td>
<td>January 12, 2022</td>
</tr>
<tr>
<td>Approve plans and specifications and set bid date</td>
<td>January 26, 2022</td>
</tr>
<tr>
<td>Open bids</td>
<td>February 2022</td>
</tr>
<tr>
<td>Assessment hearing, award contract</td>
<td>March 2022</td>
</tr>
<tr>
<td>Project information in City newsletter</td>
<td>April 2022</td>
</tr>
<tr>
<td>Construction Open House</td>
<td>April 2022</td>
</tr>
<tr>
<td>Begin construction</td>
<td>June 2022</td>
</tr>
<tr>
<td>Complete construction</td>
<td>August 2022</td>
</tr>
</tbody>
</table>

Background

The City is proposing pavement rehabilitation of Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive along with restriping of Lake Road between Woodlane Drive and Pioneer Drive to convert a 4 lane roadway to a 3 lane roadway with two-way center left turn lanes. These types of projects have been shown to reduce crashes, reduce vehicle speeds, and create a more accessible road for all users with no significant impact to vehicle capacity. Construction is proposed to occur in summer of 2022.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachments: Resolution
Engineering File No: 16-2020-01
LAKE ROAD 4 TO 3 LANE CONVERSION AND PAVEMENT MANAGEMENT PROJECT

FIGURE 1 - LOCATION MAP
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Approving the Preliminary Report, Ordering the Project, Authorizing Preparation of Plans and Specifications and Authorizing Preparation, Acquisition and, if Necessary, Condemnation of Easements for the Lake Road 4-3 Lane Conversion Project

WHEREAS, the Lake Road Rehabilitation and 4-3 Lane Conversion includes:

All parcels within the southwest quarter of Section 17 Township 28N, Range 21W, City of Woodbury, County of Washington, State of Minnesota that have direct driveway or private street access to Lake Road; and

WHEREAS, the City desires to perform roadway improvements for the Lake Road from Courty Road to Tahoe Road; and Woodlane Drive to Pioneer Drive; and

WHEREAS, on November 10, 2021, the City Council adopted Resolution No. 21-266 ordering the preparation of preliminary reports for the Lake Road Rehabilitation and 4-3 Lane Conversion Project; and

WHEREAS, the preliminary report has been prepared that finds the construction of said improvements to be necessary, cost effective and feasible; and

WHEREAS, the City desires to assess the cost of said improvements to all benefited properties; and

WHEREAS, the City Clerk presented affidavits as follows:

1. Affidavit of the City Clerk as to mailing notices of public improvement hearing for the Lake Road Rehabilitation and 4-3 Lane Conversion Project in the City of Woodbury, Washington County, Minnesota.

2. Affidavit of Publication in the official newspaper of said notice of public hearing to be held on this date and at this time with respect to the proposed improvements in the City.

WHEREAS, affidavits were examined, approved and ordered placed on file in the office of the City Clerk; and

WHEREAS, on January 12, 2022, at 7:00 p.m., a public improvement hearing was held to receive comments regarding said improvements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. At a public improvement hearing held on the 12th day of January, 2022, at 7:00 p.m. at the Woodbury Municipal Building, 8301 Valley Creek Road in said City of Woodbury and after notice of said hearing duly published as required by law, this
Council has considered the views of all persons interested, and being fully advised of the pertinent facts does hereby order the making of the proposed improvements in the City as set forth in said notice of hearing all in accordance with the preliminary report now on file in the office of the City Administrator. Said ordering of the improvements shall be valid for a period of eighteen (18) months from the date of adoption of this resolution.

2. The preliminary report, which was prepared by SEH, Inc., pursuant to Resolution 21-201 for the Lake Road Rehabilitation and 4-3 Lane Conversion Project, finds the improvements to be necessary, cost effective and feasible and are hereby approved.

3. The area to be assessed to pay the cost of the said improvement shall include the property described in said notice.

4. Said improvements shall hereafter be known and referred to as Lake Road Rehabilitation and 4-3 Lane Conversion Project.

BE IT FURTHER RESOLVED that each and all of the terms and provisions stated in the foregoing notice of hearing are hereby adopted as the terms and provisions in accordance with which said hearing shall be held.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 12th day of January, 2022.

Attest:  

[Signature]

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator  (SEAL)
Community Survey hits mailboxes this month
On Jan. 11, 4,200 randomly-selected households will receive a postcard invitation to complete the 2022 Community Survey, with follow-up invitations to arrive at their homes again on Jan. 18 or 25. Some households will receive a paper copy of the survey to return, and others will receive a link to complete the survey online. They will have until Feb. 24 to complete this survey. Residents who were not randomly selected will have an opportunity to provide input through an open participation survey available Feb. 15-24. Final results will be shared with City Council and the community this spring.

Hiring update
The Human Resources Division is currently recruiting for the following positions:

- Full-time Budget Analyst
- Full-time Chief Financial Officer
- Full-time Police Officer
- Full-time Project Manager - Engineering
- Part-time Customer Service Assistant
- Seasonal Pee Wee Sports Coach
- Seasonal Tennis Instructor
- Seasonal Volleyball Instructor
- Seasonal Warming House Attendant

The city is progressing through the hiring process for the full-time positions of Environmental Resources Manager, Administrative Assistant-Public Safety (part-time), Utility Billing Technician, Community Engagement and Equity Coordinator and Public Safety Technician.

Finally, Human Resources is preparing to recruit for the full-time positions of Fleet Specialist, Building Maintenance Technician and Engineering Project Coordinator.

Community Development

Updated population and household estimates
The table (page 2) reflects the updated household and population projections for the City of Woodbury. Staff is projecting that our community will be home to 30,647 households with a total population of 80,295 in 2023.
2021 construction activity update

As the tables below reflect, 2021 was a year for the books! The city issued 7,371 building permits over the course of the year, representing a 33% increase over 2020’s permit issuances. The majority of these permits were in the categories of residential remodeling, but also include a wide range of new construction residential activity along with commercial investments and reinvestments. Collectively, the 7,371 building permits had an aggregate permit value of $490.8 million.

With regard to new residential development, Woodbury issued permits for 927 new residential units, a four percent increase from 891 units in 2020. These numbers reflect the strength of the city’s housing market. The 927 new residential units included 502 new single-family homes spread across 23 different neighborhoods. Additionally, permits were issued for 425 new townhome and apartment units, with the most serving the new Edison and Talamore senior living communities in the northeast area.

Year-over-year permit totals are shown in the table below.
Significant projects: December 2021

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Address</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial Additions/Alterations with Permit Value above $100,000</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Face Foundrie</td>
<td>9955 Hudson Place, Suite 540</td>
<td>$130,000</td>
</tr>
<tr>
<td>M Health Fairview Woodwinds Hospital</td>
<td>1925 Woodwinds Drive</td>
<td>$200,000</td>
</tr>
<tr>
<td>Tono Pizzeria &amp; Cheesesteaks</td>
<td>437 Commerce Drive, Suite 100</td>
<td>$200,000</td>
</tr>
<tr>
<td>Middleton Elementary School</td>
<td>9105 Lake Road</td>
<td>$358,000</td>
</tr>
<tr>
<td>M Health Fairview Woodwinds Hospital</td>
<td>1875 Woodwinds Drive, Suite W150</td>
<td>$800,000</td>
</tr>
<tr>
<td>Woodbury High School</td>
<td>2665 Woosdale Drive</td>
<td>$2,081,000</td>
</tr>
<tr>
<td><strong>Total Commercial Additions/Alterations</strong></td>
<td></td>
<td><strong>$3,769,000</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>New Businesses</th>
<th>Address</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tono Pizzeria &amp; Cheesesteaks</td>
<td>437 Commerce Drive, Suite 100</td>
<td>N/A</td>
</tr>
<tr>
<td>Lumitas Wealth Strategies</td>
<td>8147 Globe Drive, Suite 245</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Engineering**

**Partnership with South Washington Watershed District**
The city partnered with South Washington Watershed District (SWWD) on construction of the Season’s Park Stormwater Filter. The basin reached substantial completion in early December 2021. The contractor will return in the spring to plant plugs around the perimeter and install an educational sign along the trail.

City staff is currently working with SWWD on two other projects of a similar nature. First is the Hassenbank Woods and Fish Lake Project (below). The scope includes installation of an innovative stormwater treatment basin (similar to the one at Season’s Park), restoration of the oak-dominated woods known as Hassenbank, and wetland restoration of Fish Lake and surrounding stormwater and wetland buffers. The district is leading the woodland restoration and planning process for the Fish Lake wetland restoration, additional information will be available for public comment as the phases progress.
Second, staff is working with SWWD on the design of the Wilmes Lake Alum Treatment facility (right). This facility is proposed to be located on the north end of Wilmes Lake, adjacent to the trail that connects to Tamarack Road. Functionally, an alum treatment diverts water prior to entering the lake, injects the chemical alum into the water and allows phosphorus to settle in a constructed stormwater pond before the cleaner water passes on into the lake.

Both of these projects will be presented to the Parks and Natural Resources Commission before being approved by Woodbury City Council in the upcoming years. These exciting projects could not be possible without partnership with SWWD and help move forward the city’s environmental stewardship goals.

**Flood Risk Reduction Grant Program ends**
In 2018, Woodbury City Council approved the Flood Risk Reduction Grant Program 2019-2021. Within this timeframe, staff directly contacted over 200 homeowners, held two neighborhood meetings and conducted over 60 site visits. This work resulted in twelve projects reducing flood risk of private homes. The project is now closed but the information about flood risk is critical and staff will continue communicating options to residents as the city experiences larger rain events.

**Woodbury designated “SolSmart Silver” for advancing solar energy growth**
Woodbury is receiving a Silver designation from the national SolSmart program for making it faster, easier, and more affordable for homes and businesses to go solar. SolSmart is led by the Interstate Renewable Energy Council (IREC) and the International City/County Management Association (ICMA) and funded by the U.S. Department of Energy Solar Energy Technologies Office. More than 400 cities, counties, and small towns have achieved SolSmart designation since the program launched in 2016.

Woodbury received points related to education and outreach events highlighting the benefits of solar energy, leadership by installing solar on city facilities, providing solar permitting information on the city’s website, the City’s Alternative Energy Ordinance, and the Neighborhood Reinvestment Fund.

SolSmart uses objective criteria to award communities points based on the actions they take to reduce barriers to solar energy development. Communities that take sufficient action are designated either gold, silver, or bronze. For more information on the program, visit SolSmart.org.

**Woodbury receives Conservation Partners Legacy Grants for vegetation restoration**
The city has received two Conservation Partners Legacy Grants from the Minnesota Department of Natural Resources for vegetation restoration at two city parks. The first $300,000 grant was awarded to enhance and restore oak, savanna, prairie and wetland habitats within the 71-acre Valley Creek Park. The grant will allow the city to complete habitat and vegetation enhancements in addition to the completed Phase I trail, parking lot, barn restoration, and playground and the planned Phase II trail loop. The project is anticipated to begin summer 2022 and to be completed in 2025.

A second $50,000 grant was awarded to enhance and restore savanna, prairie and wetland habitats within the 36-acre Savanna Oaks Park. The grant will allow the city to complete vegetation enhancement activities that were identified as part of the annual vegetation management program. The project is anticipated to begin spring 2022 with a prescribed burn or mow to prepare the site, followed by vegetation maintenance to be completed through 2025.
Information and Communications Technology

Woodbury website and social media data for 2021
In 2021, the Woodbury website had 1,046,604 page views, up from 877,433 page views in 2020. Below is a chart showing the top 15 most visited pages between February and December 2021 (Due to a change in Google Analytics, site data was not recorded in January 2021):

<table>
<thead>
<tr>
<th>Webpage</th>
<th>Pageviews</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homepage</td>
<td>110,891</td>
</tr>
<tr>
<td>HealthEast Sports Center</td>
<td>23,970</td>
</tr>
<tr>
<td>Lookout Ridge Indoor Playground</td>
<td>19,324</td>
</tr>
<tr>
<td>Recreation</td>
<td>18,975</td>
</tr>
<tr>
<td>Madison's Place Playground</td>
<td>17,184</td>
</tr>
<tr>
<td>Carver Lake Beach</td>
<td>15,016</td>
</tr>
<tr>
<td>Recreation Special Events</td>
<td>13,014</td>
</tr>
<tr>
<td>Police</td>
<td>11,521</td>
</tr>
<tr>
<td>Watering Restrictions</td>
<td>11,429</td>
</tr>
<tr>
<td>Splash pad</td>
<td>11,175</td>
</tr>
<tr>
<td>Utility Payment Options</td>
<td>11,031</td>
</tr>
<tr>
<td>Employment</td>
<td>9,621</td>
</tr>
<tr>
<td>Building Permits</td>
<td>8,771</td>
</tr>
<tr>
<td>Outdoor Athletic Fields</td>
<td>8,460</td>
</tr>
<tr>
<td>Road Construction Projects</td>
<td>8,364</td>
</tr>
</tbody>
</table>

The InTouch email system currently has 12,830 contacts. Below are the top 10 InTouch notifications sent ranked by total views.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Total Views</th>
<th>Total Engagements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevated lawn watering restrictions</td>
<td>10.9K</td>
<td>246</td>
</tr>
<tr>
<td>Elevated lawn watering restrictions reminder 1</td>
<td>6.8K</td>
<td>156</td>
</tr>
<tr>
<td>Elevated lawn watering restrictions reminder 2</td>
<td>5.6K</td>
<td>156</td>
</tr>
<tr>
<td>Closures on Valley Creek Road</td>
<td>5.2K</td>
<td>232</td>
</tr>
<tr>
<td>Outdoor Rinks update</td>
<td>5K</td>
<td>102</td>
</tr>
<tr>
<td>Virtual State of the City</td>
<td>4.9K</td>
<td>371</td>
</tr>
<tr>
<td>Smart Irrigation Controller Program</td>
<td>4.7K</td>
<td>148</td>
</tr>
<tr>
<td>CodeRED sign up</td>
<td>4.6K</td>
<td>540</td>
</tr>
<tr>
<td>Lake Road Conversion Project</td>
<td>4.6K</td>
<td>205</td>
</tr>
<tr>
<td>Residents and businesses urged to conserve water</td>
<td>4.5K</td>
<td>82</td>
</tr>
</tbody>
</table>

In addition, below is the top five InTouch notifications ranked by total engagement (link clicks).

<table>
<thead>
<tr>
<th>Topic</th>
<th>Total Views</th>
<th>Total Engagements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodbury Drive closure</td>
<td>4.1K</td>
<td>867</td>
</tr>
<tr>
<td>Development Map (average for April, June, July, November and September updates)</td>
<td>2.9K</td>
<td>638</td>
</tr>
<tr>
<td>Settlers Ridge/Hudson updated detour</td>
<td>3.9K</td>
<td>581</td>
</tr>
<tr>
<td>CodeRED sign up</td>
<td>4.6K</td>
<td>540</td>
</tr>
<tr>
<td>Public Works administrative assistant job opening</td>
<td>2K</td>
<td>479</td>
</tr>
</tbody>
</table>
Combined, our seven city-operated Facebook pages have 35,607 followers. Below are the top 10 Facebook posts on the city’s pages in 2021, excluding Public Safety (Public Safety data is available on page 8).

<table>
<thead>
<tr>
<th>Post Topic</th>
<th>Page</th>
<th>Reach</th>
<th>Clicks</th>
<th>Interactions*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevated lawn watering restrictions</td>
<td>Main</td>
<td>33.1K</td>
<td>4.8K</td>
<td>680</td>
</tr>
<tr>
<td>Residential irrigation program</td>
<td>Main</td>
<td>18.3K</td>
<td>2.9K</td>
<td>74</td>
</tr>
<tr>
<td>Elevated watering restrictions reminder</td>
<td>Main</td>
<td>17.7K</td>
<td>1.1K</td>
<td>87</td>
</tr>
<tr>
<td>Residential irrigation program – Ad</td>
<td>Main</td>
<td>16.3K</td>
<td>3K</td>
<td>48</td>
</tr>
<tr>
<td>Carver Lake closure (blue-green algae)</td>
<td>Main</td>
<td>12K</td>
<td>486</td>
<td>135</td>
</tr>
<tr>
<td>Snow event update from Dec. 11</td>
<td>Main</td>
<td>10.1K</td>
<td>1.7K</td>
<td>813</td>
</tr>
<tr>
<td>Half-Pint Safety Camp photos</td>
<td>Parks &amp; Recreation</td>
<td>7.6K</td>
<td>324</td>
<td>133</td>
</tr>
<tr>
<td>Masters contest</td>
<td>Eagle Valley Golf Course</td>
<td>6.7K</td>
<td>640</td>
<td>330</td>
</tr>
<tr>
<td>Safety Camp photos</td>
<td>Parks &amp; Recreation</td>
<td>6.5K</td>
<td>383</td>
<td>96</td>
</tr>
<tr>
<td>Big Truck Day</td>
<td>Parks &amp; Recreation</td>
<td>5.9K</td>
<td>227</td>
<td>104</td>
</tr>
<tr>
<td>Coin Quest winner</td>
<td>Parks &amp; Recreation</td>
<td>5.8K</td>
<td>307</td>
<td>96</td>
</tr>
</tbody>
</table>

*Interactions include likes, reactions, comments and shares

The city’s Nextdoor page currently reaches 27,541 members in 20,370 households. A list of the top 10 most popular posts is below.

<table>
<thead>
<tr>
<th>Post Topic</th>
<th>Impressions</th>
<th>Thanks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor vehicle theft update*</td>
<td>11.6K</td>
<td>182</td>
</tr>
<tr>
<td>Virtual State of the City</td>
<td>10.5K</td>
<td>6</td>
</tr>
<tr>
<td>METRO Gold Line update</td>
<td>6.7K</td>
<td>5</td>
</tr>
<tr>
<td>No burning warning</td>
<td>6.7K</td>
<td>11</td>
</tr>
<tr>
<td>Jan. 14 snow event update</td>
<td>6K</td>
<td>11</td>
</tr>
<tr>
<td>Elevated lawn watering restrictions</td>
<td>5.7K</td>
<td>22</td>
</tr>
<tr>
<td>Elevated lawn watering restrictions reminder</td>
<td>5K</td>
<td>20</td>
</tr>
<tr>
<td>Development Map update</td>
<td>4K</td>
<td>5</td>
</tr>
<tr>
<td>Winter parking reminder/video</td>
<td>4K</td>
<td>4</td>
</tr>
<tr>
<td>Woodbury EMS/Fire Division 9/11 post</td>
<td>3.7K</td>
<td>20</td>
</tr>
</tbody>
</table>

*Throughout second half of the year, eight posts were made relating to car thefts, catalytic converter thefts, and carjacking. The average impressions for these posts was 8,129 and the average thanks was 68 (including the top post listed in the chart above).

The city’s general Twitter account has 4,875 followers. The chart below summarizes the impressions by month for 2021.

<table>
<thead>
<tr>
<th>Month</th>
<th>Impressions</th>
<th>Top Tweet Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>11K</td>
<td>Gov. Walz limited reopening announcement</td>
</tr>
<tr>
<td>February</td>
<td>10.9K</td>
<td>First time above freezing since Feb. 4 (on Feb. 22)</td>
</tr>
<tr>
<td>March</td>
<td>11.5K</td>
<td>Parks &amp; Recreation summer brochure arriving</td>
</tr>
<tr>
<td>April</td>
<td>22.2K</td>
<td>Curbside Recycling event</td>
</tr>
<tr>
<td>May</td>
<td>13.4K</td>
<td>Memorial Day Ceremony information</td>
</tr>
<tr>
<td>June</td>
<td>13.3K</td>
<td>Celebrate safely with fireworks</td>
</tr>
<tr>
<td>July</td>
<td>16K</td>
<td>Fourth of July Hometown Celebration</td>
</tr>
<tr>
<td>August</td>
<td>13.8K</td>
<td>Kayte Barton volunteer video</td>
</tr>
<tr>
<td>September</td>
<td>7.2K</td>
<td>PFAS update – MPCA/DNR virtual community meeting</td>
</tr>
<tr>
<td>October</td>
<td>5.2K</td>
<td>Settlers Ridge Parkway/Hudson Road construction update</td>
</tr>
<tr>
<td>November</td>
<td>6.2K</td>
<td>K9s for Kids Holiday Drive</td>
</tr>
<tr>
<td>December</td>
<td>12.6K</td>
<td>Snow plowing activity update</td>
</tr>
</tbody>
</table>
The city’s Instagram account has 2,350 followers. Below are the top nine posts for 2021.

<table>
<thead>
<tr>
<th>Image</th>
<th>Topic</th>
<th>Reach</th>
<th>Likes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sept. 11 Anniversary</td>
<td>1.2K</td>
<td>163</td>
</tr>
<tr>
<td>2</td>
<td>Tree inventory</td>
<td>1.1K</td>
<td>55</td>
</tr>
<tr>
<td>3</td>
<td>Woodbury Coin Quest</td>
<td>1.1K</td>
<td>78</td>
</tr>
<tr>
<td>4</td>
<td>Cops and Bobbers</td>
<td>1K</td>
<td>91</td>
</tr>
<tr>
<td>5</td>
<td>Snow Running</td>
<td>1K</td>
<td>39</td>
</tr>
<tr>
<td>6</td>
<td>Snow photos</td>
<td>1K</td>
<td>66</td>
</tr>
<tr>
<td>7</td>
<td>Code Compliance</td>
<td>1K</td>
<td>28</td>
</tr>
<tr>
<td>8</td>
<td>Woodbury Days</td>
<td>974</td>
<td>61</td>
</tr>
<tr>
<td>9</td>
<td>Fall in Woodbury</td>
<td>937</td>
<td>78</td>
</tr>
</tbody>
</table>

**SWCTC shares annual analytics for Woodbury videos**

In 2021, South Washington County Telecommunications Commission (SWCTC) produced 96 videos and televised/web streamed 24 public meetings for the city. The city’s YouTube channel has 916 subscribers and had 108,595 views on the platform in 2021, up from 79,089 in 2020.

SWCTC received seven national awards including a Regional Emmy award for a documentary created about water conservation called “Water: The Oil of Our Century.” Two Woodbury-specific videos, Cycle Therapy and Stay ‘A Lee Vague’ Away, were also nationally acknowledged.

Over the last year the production team created some exciting work including profile videos of current council members, a new video series about the METRO Gold Line, eight episodes of Local Biz, kids reviewing local playgrounds, a historic view of the Spangenberg House and human interest stories about an award winning ski jumper, super volunteers and more.

The table below shows the top 10 videos (created in 2021) ranked by most views.

<table>
<thead>
<tr>
<th>Video</th>
<th>Views on YouTube</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodbury Public Safety: Preventing Catalytic Converter Theft</td>
<td>2.5K</td>
</tr>
<tr>
<td>Woodbury Snow Plow: Squaring Corners and Safety Tips For Motorists</td>
<td>2.2K</td>
</tr>
<tr>
<td>Woodbury’s Ski Jumping Champion: Adeline Swanson</td>
<td>872</td>
</tr>
<tr>
<td>City of Woodbury State of the City 2021</td>
<td>760</td>
</tr>
<tr>
<td>Lake Road and Pioneer Drive Improvements Project</td>
<td>660</td>
</tr>
<tr>
<td>Woodbury’s Local Biz: Fresh India</td>
<td>524</td>
</tr>
<tr>
<td>Woodbury Area Chamber of Commerce interviews Bob Kinsella</td>
<td>500</td>
</tr>
<tr>
<td>Woodbury Works: Community Service Officer</td>
<td>447</td>
</tr>
<tr>
<td>Woodbury K9 unit: Virtual Demo</td>
<td>441</td>
</tr>
<tr>
<td>The Historic Spangenberg House</td>
<td>427</td>
</tr>
</tbody>
</table>
Parks and Recreation

USA Olympic Curling teams stops by HealthEast Sports Center
The USA Olympic Curling teams were at HealthEast Sports Center (HSC) the evening of Friday, Jan. 7, to film a commercial on the west rink for Columbia Sportswear. This was an exciting opportunity to feature HSC and have Olympic athletes in the facility.

Outdoor skating rinks now open
All of Woodbury’s outdoor skating rinks are open for the season as of Dec. 27. Skating rinks at Colby Lake, Kargel, Shawnee and Ojibway Parks feature user-controlled push button rink lights that may be used from 4:30 to 10 p.m. The outdoor pleasure rink at HSC gives users the option to rent skates onsite. Skating hours and more information can be found at healtheastsportscenter.com.

Recreation rings in the New Year with family events
The annual family New Year’s Eve celebrations took place Friday, Dec. 31, at HealthEast Sports Center! Attendees spent time enjoying huge inflatables, playing Bingo, ice skating, taking pictures in a photo booth, dancing to music with a DJ, and participating in many other fun activities. New this year was an additional afternoon “matinee” New Year’s Eve celebration to provide entertainment for younger children in the community. Between the two events, over 800 attendees enjoyed celebrating the New Year in a family-friendly environment.

Winter recreation programs begin
Winter recreation programs opened for registration on Wednesday, Dec. 1. The winter brochure includes a variety of programs for all ages offered December 2021 through March 2022.

Public Safety

Public Safety Director/Police Chief Lee Vague honored as Public Safety Worker of the Year
Public Safety Director/Police Chief Lee Vague was recently honored as the Woodbury Area Chamber of Commerce’s 2021 Public Safety Worker of the Year.

Public Safety presence on social media
In 2021, staff used Facebook to provide incident updates and crime alerts to the community more often than in past years. The result was higher engagement and reach—the page reach increased from 224,473 in 2020 to 654,995 in 2021. This level of engagement helps improve the reach of other posts on our page and continuing to provide updates on the page will improve transparency and connectivity to the community.

Below is the top six Facebook posts from 2021.

<table>
<thead>
<tr>
<th>Post Topic</th>
<th>Reach</th>
<th>Clicks</th>
<th>Interactions*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tragic accident on Settlers Ridge Parkway</td>
<td>188.9K</td>
<td>74.7K</td>
<td>9.8K</td>
</tr>
<tr>
<td>Stolen vehicle recovered/suspects apprehended</td>
<td>106K</td>
<td>18.4K</td>
<td>2.6K</td>
</tr>
<tr>
<td>Drive by shooting update – suspect turns himself in</td>
<td>96.2K</td>
<td>26.9K</td>
<td>1.3K</td>
</tr>
<tr>
<td>Stolen vehicles – safety reminders</td>
<td>86.6K</td>
<td>12.6K</td>
<td>1.2K</td>
</tr>
<tr>
<td>Stolen dog (Violet)</td>
<td>81K</td>
<td>9.7K</td>
<td>2.9K</td>
</tr>
<tr>
<td>Officer James Stoffel and K9 Ruby</td>
<td>62.2K</td>
<td>2.9 K</td>
<td>2.1K</td>
</tr>
</tbody>
</table>
Public Works

Utilities Division continues with water meter replacements
In November 2017, the Utilities Division began a meter replacement program. Staff is replacing all existing residential meters and several older commercial water meters with new meters that include radio-read technology. Certain areas are selected each month based on the age of the meter, the location, and the billing cycle. The goal is to get an entire area converted so meter reading can be more efficient.

With the efforts of the Utilities team and Public Works administrative staff, more than 50% of water meters have been upgraded to this newer technology. The team ramps up appointments during the winter in an effort to get as many done as possible before the summer tasks begin. Despite dealing with the pandemic, the team has been very successful reaching their goals the last few years. The map on the right indicates where new meters have been installed.

Upcoming Meetings

Preliminary Items scheduled for Jan. 10 Planning Commission meeting

1. Wooddale Fun Zone, Conditional Use Permit, Project No. 18-2021-00465
2. Airlake South, Rezoning, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 35-2021-00445

Preliminary Items Scheduled for the Council Workshop Meeting of Jan. 19

1. Joint training with Planning Commission
2. Roadway and Trail Policy Project Parameters
3. Council Retreat Preparation

Preliminary Public Hearings Scheduled for Jan. 26

1. Airlake South, Rezoning, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 35-2021-00445
2. Second Amendment to 2021 Annual Action Plan

Other Meetings

1. Parks and Natural Resources Commission, Jan. 18, 7 p.m., Ash North and South Conference Rooms
2. Economic Development Commission, Jan. 25, Ash North and South Conference Rooms
3. Economic Development Authority / Housing and Redevelopment Authority, Jan. 26, 7 p.m. after Council Meeting, Council Chambers
4. Council/Advisory Commission Kick-off Event, Jan. 27, 7 p.m., Ash North and South Conference Rooms

Respectfully submitted,

Clinton P. Gridley
City Administrator