This City Council meeting is taking place virtually and at the Woodbury City Hall in the Council Chambers.

Members of the public may attend the meeting in person and 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. at 651-714-3524 or at council@woodburymn.gov. Questions received after 4:30 p.m. will be responded to in the next three to seven business days.

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.
   No Items Scheduled

5. Open Forum - 7:02 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 - 7:07

   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 - January 26, 2022

6B. Valley Creek Park; Award Phase II Trail Contract

Staff recommends Council adopt RESOLUTION 22-29, a resolution approving award of contract to Riverland Excavating, LLC, in the amount of $259,907 for the construction of Valley Creek Park Phase II Trail project and authorizing the Mayor and City Administrator to sign said contract.

6C. HealthEast Sports Center; Apex Companies Agreement; Approving Budget Amendment

Staff recommends Council adopt RESOLUTION 22-30, a resolution approving the Guaranteed Energy-Saving Agreement with Apex Companies for $1,317,152, for the HealthEast Sports Center Project and corresponding budget amendment.

6D. Shawnee Park Rehab; Construction Contract Award

Staff recommends Council adopt RESOLUTION 22-31, a resolution awarding the construction contract for the Shawnee Park rehab project to Sunram Construction, Inc, with a net bid of $362,100 and authorizing the Mayor and City Administrator to sign said contract upon the approval of the City Attorney.

6E. Waypointe of Woodbury; Final Plat and Development Agreement; Project No. 35-2021-00475

Staff recommends Council approval of Waypointe of Woodbury, Final Plat, Project No. 35-2021-00475. 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 22-38.

6F. Approval of New Lawful Gambling LG214 Premise Permit Application and Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for Hill-Murray Mothers Club located at 3rd Act Brewery, 4120 Radio Drive

Staff recommends Council adopt RESOLUTION 22-32, a resolution approving applications for Minnesota Lawful Gambling LG214 Premises Permit and Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for Hill-Murray Mothers Club at 3rd Act Brewery located at 4120 Radio Drive.

6G. Approval to Schedule June 22, 2022 City Council Workshop Meeting

Staff recommends Council approval to schedule:

1. A Council workshop dinner on Wednesday, June 22, 2022 at 6:00 p.m. to be held in the Birch Conference Room, First Floor, Woodbury City Hall; and
2. A Council workshop meeting on Wednesday, June 22, 2022 at 6:30 p.m. to be held in the Ash North and South Conference Rooms, First Floor, Woodbury City Hall.

6H. Approval of Tobacco Sales License for Dahab Dollar Store, LLC dba Dahab Dollar Store; 1750 Weir Drive, Suite 7 22-41

Staff recommends Council approve issuing a Tobacco Sales License to Dahab Dollar Store, LLC, dba Dahab Dollar Store for their location at 1750 Weir Drive, Suite 7.

6I. 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 January 21, 2022 in the amount of $685,634.03 and January 28, 2022 in the amount of $2,060,229.19.

7. Public Hearings - 7:12 p.m.

7A. Vacate Easement; Lots 1 and 2, Block 1 Reliance City Center 22-42

1. Open Hearing
2. Close Hearing
3. Staff recommends Council adopt RESOLUTION 22-33, a resolution vacating that part of the drainage and utility easement, embraced within Lots 1 and 2, Block 1, Reliance City Center Addition, Washington County, Minnesota.

8. Discussion - 7:20 p.m.

No Items Scheduled

9. Staff Reports - 7:20 p.m.

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

9B. City Administrator's Report

10. Adjourn to Council Workshop Meeting - 7:25 p.m.

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 provision of the Americans with Disabilities Act is available from the City Administrator's office at 651-714-3523. Auxiliary aids for disabled persons are available upon request at least 72 hours in advance of an event. Please call the ADA Coordinator, Clinton P. Gridley at 651-714-3523 (TDD 714-3568) to make arrangements.
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 26th day of January 2022.

Call to Order

Mayor Anne Burt called the meeting to order at 7:00 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; Clinton Gridley, City Administrator; Karl Batalden, Housing and Economic Development Manager; Assistant Community Development Director/City Planner, Eric Searles and Pam Whitmore, City Attorney.

Special Order of Business

No items scheduled

Open Forum

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. Give the sign-up sheet to any staff person. 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.

Consent Agenda

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 Council Minutes – January 12, 2022

Item B To adopt the following resolution

Resolution 22-22

Resolution of the City of Woodbury, Washington County, Minnesota approving the First Amendment to the 2021 HOME Subrecipient Agreement with the Dakota County Community Development Agency and a Memorandum of Understanding with the Washington County Community Development Agency Regarding the Use of HOME-ARP Funds in Washington County.
Item C  To adopt the following ordinance  
**Ordinance 2014**

Ordnance of the City of Woodbury, Washington County, Minnesota Staff recommends Council adopt ORDINANCE 2014, an ordinance of the City of Woodbury, Washington County, Minnesota, providing that the City Code be amended by amending Chapter 18.5, Signs, Article IV – Regulation of Signs – Division 1 - Generally, Section 18.5-45, Reader Board and Electronic Display Signs.

Item D  To adopt a motion establishing the following high priorities for the 2022 AAP:

- Housing serving 30% - 50% of AMI small- and large-related households;
- Housing serving 51% - 80% of AMI small- and large-related households;
- Housing serving seniors earning between 30% and 80% of AMI; and
- Park and public facility improvements.

Item E  To adopt a motion approving Bridlewood Farms 7th Addition, Final Plat, Project No. 28-2021-00470. 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 22-27.

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 and ROW to match the street and utility plans being prepared by the City’s consultant engineer.
3. The final street names shall be reviewed and approved by the Building Official.
4. 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.
5. Prior to the release of the Final Plat for recording, the Developer shall revise the landscaping plan to add additional landscaping adjacent to Ranch Road and the north plat boundary line. The revised plan shall increase the number of mature evergreen trees shown and shall be designed to screen the future homes from the existing properties to the north as approved by Planning staff.
6. Prior to the release of the Final Plat for recording, the City Engineer shall review and approve the final construction plans. The Developer shall privately construct and wholly fund all identified improvements.
7. Prior to the release of the Final Plat, the Developer shall submit revised plans to address the need for temporary cul-de-sacs along Martingale Drive and Stable View Drive. The design of all required temporary cul-de-sacs shall be approved, in writing, by the City Engineer.
8. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code. This includes participation for public infrastructure including storm sewer, water, sanitary sewer and transportation infrastructure.
9. Pursuant to the Bridlewood Farms 1st Addition Development Agreement, the Developer has agreed to fund improvements to Dale Road, Radio Drive and Bailey Road payable with each development phase. The Bridlewood Farms 7th Addition Development Agreement shall include an assessment for Dale Road and Radio Drive improvements consistent with the 1st Addition Agreement.
10. 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.
11. Outlot A shall be deeded to the either the City of Woodbury or the adjacent property owner to the west. Final ownership entity shall be identified within the 7th Addition Development Agreement and transfer of the property, regardless of future ownership, shall occur without cost to the final landowner and shall be free of encumbrances.
12. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements shall be granted to the City at no cost or paid for by the Developer.
13. 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.
14. The Developer shall deed all required outlots to the City free of encumbrances and at no cost. The Developer shall receive written approval that all obligations and conditions have been completed prior to dedicating any and all outlots. Any and all future tax obligations shall be paid by the Developer.
15. The Final Plat shall be recorded prior to issuance of a building permit.

Item F  To adopt the following resolution  
**Resolution 22-23**

Resolution of the City of Woodbury, Washington County, Minnesota approving the preliminary report, approving plans and specifications, waiving assessment hearing, ordering the project, and establishing bid date of February 24, 2022, for the Hudson Road Turn Lanes at Karen Drive and Trunk Watermain.
City Council Meeting Minutes
Wednesday, January 26, 2022

Item G  To adopt the following resolution  Resolution 22-24

Resolution of the City of Woodbury, Washington County, Minnesota accepting grant funds in the amount of $100,000 from Ramsey Washington Metro Watershed District, approving agreement, and approving appropriate budget adjustment.

Item H  To adopt the following resolution  Resolution 22-25

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to negotiate and execute a contract with Stantec Consulting Services, Inc. in the amount of $228,243 as consultant for Engineering and Architectural Services for Construction of Replacement Well No. 21 and Pumping Facility.

Item I  To adopt a motion that the member (City) does not waive the monetary limits on municipal tort liability established by MN Statute § 466.04.

Item J  To adopt the following resolution  Resolution 22-26

Resolution of the City of Woodbury, Washington County, Minnesota establishing the position of Senior Environmental Resources Coordinator, placing the position in Grade 8 of the Woodbury Classification Plan, appointing Sustainability Specialist Jennifer McLoughlin to the position effective January 31, 2022, and filling the vacancy with an Environmental Resources Technician for a total of two such positions.

Item K  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 January 7, 2022 in the amount of $1,063,519.51 and January 14, 2022 in the amount of $1,457,209.10.

Councilmember Santini moved, seconded by Councilmember Date, to approve the Consent Agenda items.

Voting via voice:

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

Public Hearings

A. AirLake South; Rezoning; Planned Unit Development; Conditional Use Permit; Preliminary Plat; Site and Building Plan; Project No. 35-2021-00445

Mayor Burt declared the public hearing open.

Assistant Community Development Director/City Planner Eric Searles reviewed an application from Maplewood Development for AirLake South, a residential development consisting of 41 single family homes, 48 detached townhomes, and 50 attached townhomes on approximately 40 acres of land east of Woodbury Drive and south of Dale Road. The property is currently zoned R-1 Urban Reserve and guided for low density in the City’s Land Use Plan.

Mr. Searles stated the development area is located in Subphase Area 2-C with a rezoning request to rezone the property from R-1 to R-4. A Planned Unit Development (PUD) is being requested which would require flexibility for the entire site with proposed setbacks and lot widths consistent with the PUD process for Phase 1 and Phase 2 developments. An association would provide snow removal and lawn maintenance. City Staff would not support the request for a side yard setback reduction without the proposed common maintenance agreement. In exchange for flexibility, the applicant will construct trail improvements as identified in the site plan.

Mr. Searles stated access to the neighborhood is planned from 3 different points: Briarcroft to the west; a main access from Dale Road, and a future road that will connect to development to the east. Dale Road will need to be upgraded to a two-lane divided roadway as identified in the Conditions of Approval and Findings of Fact. Trails and sidewalks are proposed, including a center trail on the existing pipeline easement, and ponding proposals meet City requirements with an infiltration basin to the north and quantity basin to the south.

Mr. Searles stated the application was reviewed by the Planning Commission at their January 10, 2022 meeting, and unanimously recommended approval. The Commissioners raised questions about connections to Dale Road from the neighborhood.
Mr. Searles stated City Staff recommends City Council approval of AirLake South Planned Unit Development (PUD), Conditional Use Permit, Preliminary Plat and Site and Building Plan, Project No. 35-2021-00445, subject to conditions.

Councilmember Date moved, seconded by Councilmember Santini, to close the public hearing.

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

Mayor Burt opened opportunity for discussion and questions from the Council.

Councilmember Morris asked whether the applicant will be required to participate in funding the Dale Road construction project, and what is the timing for that project.

Mr. Searles stated the applicant will be required to fund, at a minimum, the portion of Dale Road adjacent to their plat boundary. He added City Staff is studying Dale Road in this area in advance of public improvements which are anticipated for 2023 or 2024. He noted Dale Road is a City road.

Councilmember Morris requested clarification regarding the outlots indicated on the site plan. Mr. Searles stated Outlots A and B could be potentially City-owned land in the future as they are pipeline easements. He added Outlot C is a trail, and Outlot D is a common area of association property near the townhome units.

Councilmember Morris asked whether there will be any additional public or private amenities in the development. Mr. Searles stated no additional amenities are proposed.

Councilmember Wilson asked when improvements to Woodbury Drive would take place. Mr. Searles stated the improvements to Woodbury Drive occurred last year and included the intersection of Dale Road and Woodbury Drive. Improvement to Dale Road from Radio Drive to Cottage Grove Drive will likely occur over 3 separate projects and City Council direction will be sought on the timing of those projects on a similar schedule.

Mayor Burt requested clarification regarding guest parking for the townhomes. She added there does not appear to be enough additional parking. Mr. Searles stated there will be designated guest parking spaces serving the townhomes to the north and south that will also be designed to accommodate snow storage. He added each townhome will have capacity for 4 parking spaces. He noted the development meets the City requirement of 1 guest parking space per 5 units, and there will be 2, 3 and 4-bedroom units.

Councilmember Wilson asked whether this development had an Environmental Assessment Worksheet (EAW). Mr. Searles confirmed that an EAW was triggered as Maplewood Development was also the applicant for AirLake North.

Councilmember Morris moved, seconded by Councilmember Santini,

**To adopt the following Ordinance**

Ordinance 2015

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 Morris moved, seconded by Councilmember Santini, to approve the Conditional Use Permit (CUP) via RESOLUTION 22-27, adopting findings of fact.

Voting via voice:

Kim Wilson – no
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Councilmember Morris moved, seconded by Councilmember Santini, to approve the AirLake South Planned Unit Development (PUD), Preliminary Plat and Site and Building Plan, Project No. 35-2021-00445, all subject to the conditions outlined in Council Letter 22-33.

1. The PUD and CUP approval shall expire one (1) year from the date of City Council approval unless a building permit has been requested or a time extension has been granted by the City Council.
2. The Preliminary Plat approval shall expire six (6) months from the date of the City Council approval unless a Final Plat has been requested or a time extension has been granted by the City Council.
3. Prior to Final Plat approval, the Applicant shall provide a revised project name to be approved by Planning staff.
4. Prior to Final Plat approval, additional Right-of-way shall be shown to be dedicated along Dale Road to accommodate the future roundabout.
5. Prior to the issuance of a Land Disturbance Permit, to limit midblock crossings the Applicant shall revise the plans to connect the pipeline trail to Usseppa Trail rather than a direct connection to the trail along Dale Road.
6. Prior to the issuance of a building permit, the Applicant shall record the final plat. 7. Final park dedication shall be satisfied via cash dedication. Final dedication shall be memorialized in the Development Agreement.
8. A Development Agreement shall be fully executed prior to the release of the Final Plat for recording.
9. Prior to the approval of the Final Plat, all required findings of Chapter 21-16 shall be met. This includes participation for public infrastructure including storm sewer, water, sanitary sewer and transportation infrastructure. Approval of the Preliminary Plat is conditional upon satisfactory compliance with Chapter 21-16 of the Woodbury City Code.
10. To cure the prematurity of the roadway network, the Applicant shall improve Dale Road to a two-lane divided roadway with designs approved by the City Engineer. The Applicant shall either privately construct these improvements or may request a 429 assessment for the City to allow for public construction. The construction shall be memorialized within the Development Agreement.
11. Prior to the issuance of a land disturbance permit, the Applicant shall revise the landscaping plan and shall increase the plantings in the following locations: i. To the east of Lots 1-6 Block 14, Lots 1-6 Block 13 and Lots 1-6 Block 12 ii. Within Outlot D between Lots 1-6 Block 8 and 1-6 Block 9 iii. To the south of Lots 1-8 Block 11 iv. North side of Lot 1 Block 8 and Lot 6 Block 9 v. Within the trail connection between Lot 6 Block 15 and Lot 1 Block 16.
12. Prior to the issuance of a building permit, staff shall review and approve the architecture designs of the proposed row townhomes. Said designs shall vary setbacks to break up driveway and flat planes of rear yard elevations. Front building elevations shall have design features to break up roof lines and rear elevations shall use differing materials and colors to break up long elevations.
13. Prior to the issuance of a land disturbance permit, an Operations and Maintenance Plan shall be approved by the City.
14. Prior to the issuance of a land disturbance permit, Engineering staff shall review and approve the seeding plan for the stormwater ponding area. Said plan shall include a minimum of 3 years of maintenance to establish native areas within the outlot.
15. Prior to the issuance of a building permit, all retaining walls shall be reviewed and approved by Planning staff. All retaining walls shall be located on private property and shall be maintained by the HOA or underlying private property owner.
16. The Applicant shall grade the boulevard and provide required stormwater management for Dale Road with the designs approved by the City Engineer.
17. All detached townhome and row townhome lots shall have common area maintenance, lot maintenance and association snow removal.

Voting via voice:

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

B. Second Amendment to the 2021 Annual Action Plan

Mayor Burt declared the public hearing open.

Housing and Economic Development Manager Karl Batalden reviewed CDBG federal funding that is received annually. The current funding, approved in May 2021, allocates $350,000 of CDBG funds for Shawnee Park rehabilitation. During the 2022 City budget adoption process, the funding allocation was increased to $525,000.

Mr. Batalden stated, with regard to additional steps that have been taken, a neighborhood open house was held on December 6, 2021 and the Parks and Natural Resources Commission reviewed this project at their December 6, 2021 meeting. The project is currently out for bid, with bids opening on February 1, 2022, and a construction contract will likely be awarded by the City Council in February.

Mr. Batalden stated City Staff recommends City Council approval of a Resolution amending the 2021 Annual Action Plan, increasing the budget for Shawnee Park rehabilitation to $525,000 as identified in the adopted 2022 City budget.
Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

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

Mayor Burt opened opportunity for discussion and questions from the Council.

Councilmember Morris asked whether there were any public comments at the December 6, 2021 neighborhood open house. Mr. Batalden stated a couple who live adjacent to the park requested further information about noise mitigation for the pickleball courts. He added plans include noise reduction measures in the form of a material that is attached to the fence which will limit the noise impact on the neighborhood.

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-28

Resolution of the City of Woodbury, Washington County, Minnesota amending the City of Woodbury’s 2021 Annual Action Plan.

Voting via voice:

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

Discussion

No items scheduled

City Administrator’s Report

Staff Report

City Administrator Clint Gridley reviewed the following upcoming meetings:

- January 27, 2022 City Council’s Commission Kick-Off Event at 7:00 p.m. in the Ash North and South Conference Rooms
- February 1, 2022 at 6:00 p.m. – Copper Ridge 9th Addition Neighborhood Virtual Meeting
- February 7, 2022 Planning Commission Meeting
- February 8, 2022 Parks & Natural Resources Commission meeting at 7:00 p.m. in Ash North and South Conference Rooms
- February 9, 2022 City Council Meeting will include a drainage and utility easement vacation hearing
- February 16, 2022 City Council Workshop Meeting to discuss strategic initiatives ensuring long term drinking water sustainability, and a second review of the Roadway 8and Trail Policy

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 7:28 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 February 9, 2022
Council Letter 22-35

February 9, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Valley Creek Park; Award Phase II Trail Contract

Summary

The Valley Creek Community Park Master Plan (Project) concept was approved by the City Council by Resolution No. 20-178 on July 15, 2020. The improvements address community identified input including enhancing the natural resources, stabilizing the Miller Barn, implementing an adventure/nature playground and making the park more accessible. Priority improvements included a paved trail loop into the wooded portions of the park (Phase II).

In relation to then current cost estimates, on March 24, 2021, (Council Letter 21-59) staff recommended splitting the additional paved trail loop into a subsequent project phase to provide flexibility within the bidding and award of the project. On April 22, 2021, bids were opened for the first phase of the Project. Favorable bids were received leaving sufficient funds available for Phase II to move forward.

Staff has continued the effort to provide priority improvements. The current concept plan has evolved from the identified conceptual alignment to better compensate for onsite conditions related to storm water management and more desirable trail slopes.

At its December 7, 2021 meeting, the Parks and Natural Resources Commission (PNRC) approved the updated Valley Creek Park Concept specific to the Phase II trail design. Phase II bids were solicited publicly for three weeks with 15 bids received on January 20, 2022.

Recommendation

Staff recommends Council adopt the attached resolution approving award of contract to Riverland Excavating, LLC, in the amount of $259,907 for the construction of Valley Creek Park Phase II Trail project and authorizing the Mayor and City Administrator to sign said contract.

Fiscal Implications

Sufficient funds are available in the approved 2021 Park Dedication Fund budget for a contract with Riverland Excavating, LLC, for the Valley Creek Park Phase II Trail project. A carryover of funding to complete construction of the project in 2022, will be requested as necessary.
Policy

This project aligns with the City’s 2021 Strategic Initiative – Ensure Our Parks and Trails Meet the Needs of a Growing and Changing Community.

Public Process

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 21-23, 2019</td>
<td>City staff at Woodbury Days gathering public input on project</td>
</tr>
<tr>
<td>October 15, 2019</td>
<td>Neighborhood Meeting</td>
</tr>
<tr>
<td>November 12, 2019</td>
<td>PNRC provided recommendations to staff on initial concept plan</td>
</tr>
<tr>
<td>November 19, 2019</td>
<td>Revised Concept Plan presented at second neighborhood meeting</td>
</tr>
<tr>
<td>May 26-28, 2020</td>
<td>Site tours of park held with PNRC and City Council members</td>
</tr>
<tr>
<td>June 2, 2020</td>
<td>PNRC provides top priorities and recommendations to City Council</td>
</tr>
<tr>
<td>June 17, 2020</td>
<td>Council Workshop to review concept plan</td>
</tr>
<tr>
<td>July 15, 2020</td>
<td>Council approved concept plan and direction to utilize Legacy Grant</td>
</tr>
<tr>
<td>April 2021</td>
<td>Finalize Memorandum of Understanding with Woodbury Heritage Society</td>
</tr>
<tr>
<td>November 2021</td>
<td>Project website updated, and letter sent to surrounding neighborhood noticing final proposed concept plan</td>
</tr>
<tr>
<td>November 3, 2021</td>
<td>PNRC concept approval</td>
</tr>
<tr>
<td>February 9, 2022</td>
<td>Council Award of Bid for Phase II Trail project</td>
</tr>
<tr>
<td>February 2022</td>
<td>Notice to adjacent homeowners regarding park construction activity</td>
</tr>
</tbody>
</table>

Timeline and Next Steps

<table>
<thead>
<tr>
<th>Timeframe</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring 2022</td>
<td>Construction Phase II and playground installation</td>
</tr>
<tr>
<td>Fall 2022</td>
<td>Anticipated project completion</td>
</tr>
</tbody>
</table>

Background

Valley Creek Park was an undeveloped 70-acre community park and is part of a larger area known as the Fish Lake Greenway Corridor. This property is part of a larger collection of City-owned open space and park parcels that were acquired through a City open space referendum in 1998, Park Dedication from development, a State Metro Greenways Grant from the Minnesota Department of Natural Resources and a Land and Water Legacy Grant from Washington County.

The open space is a mixture of oak woodland, coniferous tree plantation and retired agricultural fields. Significant investment has been made since 2006, regarding the active vegetation management of this area with prairie and oak savannah restoration. A primary goal of the Valley Creek Park Project was to provide public access with no loss in the quantity, quality, and biological diversity of the existing wetlands and provide protection for the headwaters of the Valley Creek trout stream.

Written By: Josh Kinney, Parks Planner
Approved Through: Michelle Okada, Parks and Recreation Director
Attachments: 1. Resolution  2. Updated Valley Creek Park Phase II Trail Concept Plan 2021
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving Award of Contract to Riverland Excavating, LLC, in the Amount of $259,907 for the Construction of Valley Creek Park Phase II Trail Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, on January 20, 2022, sealed bids were received and tabulated for the Valley Creek Park Phase II Trail project construction; and

WHEREAS, the apparent low responsive and responsible bid was received from Riverland Excavating, LLC, 30692 Highway 58 Blvd, Red Wing, Minnesota; and

WHEREAS, the Riverland Excavating, LLC total project price is $259,907.00; and

WHEREAS, staff recommends the Council approve the contract with Riverland Excavating, LLC, for construction of the Valley Creek Park Phase II Trail project.

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

1. That the bid of Riverland Excavating, LLC, total price for the Valley Creek Park Phase II Trail construction project is the lowest responsive bid.
2. That a contract to perform said work is awarded to Riverland Excavating, LLC and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.
3. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful bidder which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 9th day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
UPDATED Valley Creek Park Phase II Trail Concept Plan 2021

What has changed?
Trail redesign reduces:
- Trail grade
- Tree impacts
- Potential for erosion
- Project estimated costs

Phases:
- Phase I Trail
- Updated Phase II Trail
- Previous Trail Alignment (red dashed line)

Features:
- Playground
- Parking Lot
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-36

February 9, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: HealthEast Sports Center; Apex Companies Agreement; Approving Budget Amendment

Summary

The 2022 HealthEast Sports Center budget includes a capital expenditure allocation of $1,025,000 relating to ice arena improvements. Based on competitive quotes within the Directed Engineering Study (DES) provided by Apex Companies, the project’s cost will exceed the approved allocation. Staff appropriately adjusted the scope of the project, but also needs additional funding to complete what are deemed essential and timely improvements.

In 2021, HealthEast Sports Center staff elected to defer the $125,000 project to replace the east arena boards, allowing allocated funds to remain in the reserve balance. The current condition of the boards allows for the delay of this replacement, with staff moving it to a future Capital Improvement Plan (CIP). The current capital project would require appropriating an additional $300,000 from the HealthEast Sports Center Fund to cover the remainder of the project costs.

Recommendation

Staff recommends Council adopt the attached resolution approving the Guaranteed Energy-Saving Agreement with Apex Companies for $1,317,152, for the HealthEast Sports Center Project and corresponding budget amendment.

Fiscal Implications

Sufficient funds are available in the HealthEast Sports Center Fund to cover the full cost of the project. Including the additional use of reserves of $300,000, the reserve balance at 2022 year-end is anticipated to be approximately $500,000.

Policy

This project meets Minnesota Statute 471.345 Uniform Municipal Contracting Law, residing within subdivision 13 – Energy efficiency projects. This Guaranteed Energy Savings Agreement with Apex Companies constitutes an “Energy Conservation Measure” with regard to subset (5) replacement or modifications of lighting fixtures to increase energy efficiency.
Public Process

This is the first public process for this item.

Background

With an original construction date in 1995, the current west rink, sand floor reached its replacement age in 2020. The funding calculations for the project were based on similar renovations completed before 2020, in other local facilities. The original project included:

- Replacing the piping system and converting the west arena sand floor to concrete
- Updating LED lighting in both ice arenas
- Installing an additional dehumidification unit for the east arena

Based on the current project cost and evaluation of equipment, staff has removed the dehumidification unit from the project at this time. Staff consulted with contractors and is comfortable with postponing this component of the project. Funds are included within the project to complete detailed maintenance on the current dehumidification unit.

There are two main benefits to proceeding with the replacement. As the age of the equipment increases, so does the possibility of mechanical failure. Worst case scenario is a breakdown during prime season, taking the ice sheet offline for four to six weeks, resulting in lost revenue and significantly impacting facility users. Secondly, strategically planning the shutdown in the spring and early summer limits the impact to revenues, as those months on average are less busy. Project completion is anticipated by July, 2022.

Written By: Dan Moris, Recreation Enterprise Manager
Approved Through: Michelle Okada, Parks and Recreation Director
Attachment: Resolution
Resolution of the City of Woodbury, Washington County, Minnesota

Approve the Guaranteed Energy Savings Agreement with Apex Companies in the amount of $1,317,152 for the HealthEast Sports Center Project and Corresponding Budget Amendment

WHEREAS, the City wishes to enter into an agreement with Apex Companies for HealthEast Sports Center upgrades, including west arena floor replacement, LED lighting upgrade, Glycol pump replacement, and dehumidification maintenance; and

WHEREAS, staff recommends the Council approve the Guaranteed Energy Savings Agreement with Apex Companies, in the amount of $1,317,152; and

WHEREAS, staff recommends the Council approve the budget amendment for use of reserves from the HealthEast Sports Center Fund for $300,000 to cover the funding shortfall.

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

1. Authorization is given to enter into a Guaranteed Energy Savings Agreement with Apex Companies, for a total of $1,317,152, to complete the HealthEast Sports Center upgrades, including west arena floor replacement, LED lighting upgrade, Glycol pump replacement, and dehumidification maintenance.

2. The Mayor and City Administrator are hereby authorized to execute the above Guaranteed Energy Savings Agreement.

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 Budget:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>HealthEast Sports Center – Use of Reserves</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expense increase be made:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>HealthEast Sports Center - Capital Outlay – Buildings and Structures</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expense increase be made:
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 9\textsuperscript{th} day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-37

February 9, 2022

To: The Honorable Mayor and Members of the City Council

From: Clint P. Gridley, City Administrator

Subject: Shawnee Park Rehab; Construction Contract Award

Summary

The City’s 2021 Annual Action Plan allocates federal Community Development Block Grant (CDBG) dollars to the Shawnee Park rehab project. The project includes a wide range of reinvestment activities including grading and hydrant relocation, replacement of the hockey rink and pleasure rink, noise abatement, and lighting and safety upgrades. Replacement of the play equipment will be procured separately and is estimated to have a cost of $75,000.

Bids for improvements were received at 1:00 p.m. on February 1, 2022. A total of five bids were received for this project. Given the budgetary resources available, only the base bid is able to be accepted and bid alternates are not able to be funded at this point in time. The five base bids ranged from $362,100 to $619,631. Per the attached Consultant Recommendation Letter, the apparent low bidder was Sunram Construction, Inc.

Recommendation

Staff recommends Council adopt the attached resolution awarding the construction contract for the Shawnee Park rehab project to Sunram Construction, Inc, with a net bid of $362,100 and authorizing the Mayor and City Administrator to sign said contract upon the approval of the City Attorney.

Fiscal Implications

The project cost as selected via bids will be $362,100 which is consistent with the adopted 2022 Housing and Urban Development Fund budget.

Policy

At the local level, in addition to the City’s federal grants and awards compliance policy, six council directives provide guidance regarding the operation and management of HUD funds including CD-COMDEV-3.12 through 3.16, inclusive, and CD-COMDEV-3.21. At the federal level, CDBG is governed by 24 CFR 570. There are also a wide range of cross-cutting federal regulations including but not limited to the National Environmental Policy Act, federal labor standards, the Civil Rights Act and Section 3 of the HUD Act of 1968 that provide a regulatory framework for the use of these HUD funds.
Public Process

1. May 12, 2021: City Council approval of the 2021 Annual Action Plan which allocated $350,000 to the Shawnee Park project;
2. October 2021: Project website created and letter sent to residents abutting the park;
3. December 7, 2021: Neighborhood open house to review proposed scope of work;
4. December 7, 2021: Parks and Natural Resources Commission review of proposed scope of work;
5. December 26, 2021: Publication of combined notice of public comment period and public hearing in the *St. Paul Pioneer Press* regarding increase to budget;
6. December 27, 2021 to January 25, 2022: Public comment period regarding increase to budget; and
7. January 26, 2022: City Council approval of amendment to the 2021 Annual Action Plan increasing the budget for the Shawnee Park project to $525,000

Background

CDBG funds may be invested in a broad range of activities that benefit low- and moderate-income households including neighborhood-scale public facilities projects such as the Shawnee Park rehab as described above. The projects must be in specific Census Tract Block Groups as identified in the attached map to meet the US Department of Housing and Urban Development’s “Low Mod Area Benefit” or “LMA” definition.

Other recent parks projects funded by CDBG include:

- Evergreen West Park: Play equipment replacement
- Menomini Park: Court and play equipment replacement;
- Ojibway Park: Play equipment replacement (far north edge of park);
- Potawatomi Park: Court replacement;
- Windwood Passage Park: Court and play equipment replacement

Written By: Karl Batalden, Housing and Economic Development Manager
Approved Through: Janelle K. Schmitz, Community Development Director
Attachments: 1. Resolution
               2. Location Map
               3. Consultant Recommendation Letter
Resolution 22-

Resolution of the City of Woodbury
Washington County, Minnesota

Awarding the Construction Contract for the
Shawnee Park Rehab Project to Sunram Construction, Inc. with a Net Bid of $362,100
and Authorizing the Mayor and City Administrator to Sign said Contract
upon the Approval of the City Attorney

WHEREAS, sealed bids were received and tabulated on February 1, 2022 at
1:00 p.m. for the Shawnee Park rehab project; and

WHEREAS, the apparent low responsive and responsible bid was received from
Sunram Construction, Inc. in an amount of $362,100.

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

1. That the bid of Sunram Construction, Inc., in the amount of $362,100 total
   base bid for the Shawnee Park rehab project is the lowest responsive bid.

2. That a contract to perform said work is awarded to Sunram Construction,
   Inc., and that the Mayor and City Administrator are hereby authorized and
directed to enter into a contract with said bidder upon the approval of the
City Attorney.

3. The City Clerk is authorized and directed to return the deposit made for said
   bids, except the deposit of the successful bidder which shall be retained until
   a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator this 9th day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
February 1, 2022

Mr. Karl Batalden
City of Woodbury
8301 Valley Creek Road
Woodbury, MN 55125

RE: 2022 Shawnee Park CDBG Project – Bid Recommendation

Karl,

Per the bidding opening on February 1, 2022, Sunram Construction, Inc. was the apparent low bidder for the Shawnee Park CDBG Project. Kimley-Horn and the City of Woodbury have both previously worked with this Contractor with successful results.

Kimley-Horn would recommend awarding this contract to Sunram Construction, Inc.

Please contact me with any questions you may have.

Sincerely,

Alan Catchpool, P.E.
Project Manager
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-38

February 9, 2022

To: The Honorable Mayor and Members of the City Council  
From: Clinton P. Gridley, City Administrator  
Subject: Waypointe of Woodbury; Final Plat and Development Agreement; Project No. 35-2021-00475

Summary

Tradition Development has requested Final Plat approval for the first addition of the Waypointe of Woodbury project, formerly named Briarcroft South. The Applicant is requesting to plat 100 lots, a combination of single family and detached townhomes, and four outlots. The property is located at the southeast corner of Dale Road and Woodbury Drive. The subdivision is zoned R-4, Urban Residential District, and is guided as Low Density Residential on the Land Use Plan. The necessary improvements are being requested to be constructed privately, pending final City Administrator approval, with the necessary securities posted by the Applicant prior to the release of the Final Plat. A Development Agreement will be prepared accordingly.

Recommendation

Staff recommends Council approval of Waypointe of Woodbury, Final Plat, Project No. 35-2021-00475. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the following conditions:

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.

**Fiscal Implications**

All proposed public improvements shall be constructed by the Developer.

**Policy**

Chapter 21, Subdivision
Chapter 24, Zoning

**Public Process**

Preliminary Plat Neighborhood Meeting – August 31, 2021
Preliminary Plat Planning Commission – November 1, 2021
Preliminary Plat Public Hearing- November 10, 2021

**Background**

At the November 10, 2021 meeting the City Council approved the Briarcroft South Planned Unit Development, Conditional Use Permit and Preliminary Plat. The approval included 97 single family lots and 111 villa lots on 69.95 acres.

During infrastructure planning discussions related to the opening of sub-phase 2C, Council requested visibility on the cumulative number of lots platted on an annual basis to affirm infrastructure capacity. The chart below begins that process.

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>2022 Platted Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waypointe of Woodbury</td>
<td>100</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Written By: Gina McCormack, Associate Planner
Approved Through: Eric Searles, Assistant Community Development Director/City Planner
Janelle Schmitz, Community Development Director
Attachment: 11 x 17 Plans
WAYPOINTE OF WOODBURY

KNOWN ALL THE PRESENTS, That Waypointe of Woodbury, LLC, a Minnesota limited liability company, owner of the following described property situated in the County of Washington, State of Minnesota to wit:

The north line of the Northeast Quarter of the Northwest Quarter and the north line of the Northeast Quarter of the Northwest Quarter, as shown on the plan of record in the Washington County Auditor's Office, Washington County, Minnesota.

This instrument was acknowledged before me on this ______ day of __________________, 20______, by Peter Goers, Licensed Land Surveyor, Minnesota License No. 44110.

Peter Goers, Licensed Land Surveyor

This instrument was acknowledged before me on this ______ day of __________________, 20______, by T. Jacob Enebak, Chief Manager of Waypointe of Woodbury, LLC, a Minnesota limited liability company.

T. Jacob Enebak, Chief Manager of Waypointe of Woodbury, LLC

COUNTY SURVEYOR

Pursuant to Minnesota Statutes, Section 135.06, lines of Minnesota, 1911, and in accordance with Minnesota Statutes, Section 82.06, Subd. 11, this plat has been reviewed and approved for ______ day of ______.

By: ________________________________________________________

Washington County Surveyor

COUNTY AUDITOR/REASSESSOR

Pursuant to Minnesota Statutes, Section 505.01, Subdivision 3, as of the date of this surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY RECORDER

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes.

By: ________________________________________________________

Washington County Recorder

This plat was approved by the City Council of Woodbury, Minnesota this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes, Section 505.02, Subdivision 2.

By: ________________________________________________________

City Administrator

This plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly and accurately prepared; that all monuments depicted on this plat have been correctly set or that all monuments indicated on this plat will be correctly set within one year; that all water boundaries and wetlands are correctly depicted on this plat.

By: ________________________________________________________

Washington County Auditor/Reassessor

Pursuant to Minnesota Statutes, Section 505.05, Subdivision 5, this plat has been reviewed and approved for ______ day of ______.

By: ________________________________________________________

Washington County Auditor/Reassessor

This plat was approved by the City Council of Woodbury, Minnesota this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes, Section 505.02, Subdivision 2.

By: ________________________________________________________

City Administrator

Pursuant to Minnesota Statutes, Section 135.06, lines of Minnesota, 1911, and in accordance with Minnesota Statutes, Section 82.06, Subd. 11, this plat has been reviewed and approved for ______ day of ______.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY AUDITOR/REASSESSOR

Pursuant to Minnesota Statutes, Section 505.01, Subdivision 3, as of the date of this surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY RECORDER

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes.

By: ________________________________________________________

Washington County Recorder

This plat was approved by the City Council of Woodbury, Minnesota this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes, Section 505.02, Subdivision 2.

By: ________________________________________________________

City Administrator

Pursuant to Minnesota Statutes, Section 135.06, lines of Minnesota, 1911, and in accordance with Minnesota Statutes, Section 82.06, Subd. 11, this plat has been reviewed and approved for ______ day of ______.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY AUDITOR/REASSESSOR

Pursuant to Minnesota Statutes, Section 505.01, Subdivision 3, as of the date of this surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY RECORDER

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes.

By: ________________________________________________________

Washington County Recorder

This plat was approved by the City Council of Woodbury, Minnesota this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes, Section 505.02, Subdivision 2.

By: ________________________________________________________

City Administrator

Pursuant to Minnesota Statutes, Section 135.06, lines of Minnesota, 1911, and in accordance with Minnesota Statutes, Section 82.06, Subd. 11, this plat has been reviewed and approved for ______ day of ______.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY AUDITOR/REASSESSOR

Pursuant to Minnesota Statutes, Section 505.01, Subdivision 3, as of the date of this surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

By: ________________________________________________________

Washington County Auditor/Reassessor

COUNTY RECORDER

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ______ day of __________________, 20______, and hereby certifies compliance with all the requirements as set forth in Minnesota Statutes.

By: ________________________________________________________

Washington County Recorder
Council Letter 22-39

February 9, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of New Lawful Gambling LG214 Premise Permit Application and Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for Hill-Murray Mothers Club located at 3rd Act Brewery, 4120 Radio Drive

Summary

The City has received a request from Hill-Murray Mothers Club for a new Lawful Gambling LG214 Premise Permit and Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for gambling at 3rd Act Brewery located at 4120 Radio Drive. Minnesota Statute 349.213 requires the local government to pass a resolution specifying approval or denial of the applications.

Recommendation

Staff recommends Council adopt the attached resolution approving applications for Minnesota Lawful Gambling LG214 Premises Permit and Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for Hill-Murray Mothers Club at 3rd Act Brewery located at 4120 Radio Drive.

Fiscal Implications

Hill-Murray Mothers Club has submitted the background investigation fee of $250.

Policy

Lawful Gambling is regulated per Minnesota Statute 349 and City of Woodbury City Code Chapter 11 – Licenses, Permits and Miscellaneous Business Regulations, Article IX Lawful Gambling.

Public Process

This is the first time this application has been before the City Council.
Background

Hill-Murray Mothers Club is requesting a new Minnesota Lawful Gambling Premise Permit and Minnesota Lawful Gambling Lease for Lawful Gambling Activities to be conducted at 3rd Act Brewery located at 4120 Radio Drive.

As required by City Code, a background investigation was conducted on the organization and the organization’s gambling manager, Barbara Petersen, and records are clear.

Written By: Kimberlee K. Blaeser, City Clerk
Approved Through: Angela Gorall, Assistant City Administrator
Attachments: 1. Resolution
2. LG214 Premises Permit Application
3. LG215 Lease for Lawful Gambling Activity
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving Applications for
Minnesota Lawful Gambling LG214 Premises Permit and
Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for
Hill-Murray Mothers Club to be conducted at
3rd Act Brewery located at 4120 Radio Drive

WHEREAS, Hill-Murray Mothers Club has completed their Minnesota Lawful Gambling LG214 Premises Permit and their Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity permit for lawful gambling to be conducted at 3rd Act Brewery located at 4120 Radio Drive; and

WHEREAS, Minnesota Statute 349.213 requires the local government to pass a resolution specifying approval or denial of the applications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the lawful gambling LG214 Premises Permit and the lawful gambling LG215 Lease for Lawful Gambling Activity permit for Hill-Murray Mothers Club to conduct said lawful gambling at 3rd Act Brewery located at 4120 Radio Drive, Woodbury, Minnesota.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 9th day of February 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
MINNESOTA LAWFUL GAMBLING

LG214 Premises Permit Application

Annual Fee $150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use LG215 Lease for Lawful Gambling Activity.

2. $150 annual premises permit fee, for each permit (non-refundable). Make check payable to "State of Minnesota."

Mail the application and required attachments to:
Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Hill-Murray Mothers Club
License Number: B-041435
Chief Executive Officer (CEO) Heather Bresch Daytime Phone: 651-214-2964
Gambling Manager: Barb Petersen Daytime Phone: 651-230-0129

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: 3rd Act Brewery LLC
List any previous names for this location:

Street address where premises is located: 4120 Radio Drive
(Do not use a P.O. box number or mailing address.)

City: Woodbury OR Township: Washington
County: Zip Code: 55129
Does your organization own the building where the gambling will be conducted? 
[ ] Yes  [X] No If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? [ ] Yes  [X] No  [ ] Don’t know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? [ ] Yes  [X] No  [ ] Don’t know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: Premium Bank Bank Account Number: [redacted]
Bank Street Address: 2966 White Bear Avenue City: Maplewood State: MN Zip Code: 55109

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number): 1315 Draper Avenue City: Roseville State: MN Zip Code: 55113

[ ] MN [ ] MN [ ] MN
## ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

<table>
<thead>
<tr>
<th>CITY APPROVAL</th>
<th>COUNTY APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>for a gambling premises located within city limits</td>
<td>for a gambling premises located in a township</td>
</tr>
</tbody>
</table>

**City Name:**

**Date Approved by City Council:**

**Resolution Number:** (If none, attach meeting minutes.)

**Signature of City Personnel:**

---

**County Name:**

**Date Approved by County Board:**

**Resolution Number:** (If none, attach meeting minutes.)

**Signature of County Personnel:**

---

**TOWNSHIP NAME:**

Complete below only if required by the county.

On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

**Print Township Name:**

**Signature of Township Officer:**

---

### ACKNOWLEDGMENT AND OATH

1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.

2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.

3. I have read this application and all information submitted to the Board is true, accurate, and complete.

4. All required information has been fully disclosed.

5. I am the chief executive officer of the organization.

6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.

7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.

8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.

9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.

10. I understand the fee is non-refundable regardless of license approval/denial.

**Signature of Chief Executive Officer (designee may not sign):**

**Date:** 1/19/22

---

**Data privacy notice:** The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;

Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor; national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format, i.e., large print, braille, upon request.

An equal opportunity employer.
# MINNESOTA LAWFUL GAMBLING

## LG215 Lease for Lawful Gambling Activity

### LEASE INFORMATION

<table>
<thead>
<tr>
<th>Organization:</th>
<th>License/Site Number:</th>
<th>Daytime Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hill-Murray Mothers Club</td>
<td>B04435</td>
<td>651-230-0129</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address:</th>
<th>City:</th>
<th>State:</th>
<th>Zip:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2625 Lampedeur Avenue East</td>
<td>Maplewood</td>
<td>MN</td>
<td>55109</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Leased Premises:</th>
<th>Street Address:</th>
<th>City:</th>
<th>State:</th>
<th>Zip:</th>
<th>Daytime Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3rd Act Brewery LLC</td>
<td>4120 Radio Drive</td>
<td>Woodbury</td>
<td>MN</td>
<td>55129</td>
<td>651-802-2540</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Legal Owner:</th>
<th>Business/Street Address:</th>
<th>City:</th>
<th>State:</th>
<th>Zip:</th>
<th>Daytime Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen Long</td>
<td>Radio Drive</td>
<td>Woodbury</td>
<td>MN</td>
<td>55129</td>
<td>651-802-2540</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Lessor (if same as legal owner, write “SAME”):</th>
<th>Address:</th>
<th>State:</th>
<th>Zip:</th>
<th>Daytime Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAME</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Check applicable item:
- [X] New or amended lease. Effective date: 2-01-2022. Submit changes at least ten days before the effective date of the change.
- [ ] New owner. Effective date: _______________. Submit new lease within ten days after new lessor assumes ownership.

### CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

- [X] Pull-Tabs (paper)
- [ ] Pull-Tabs (paper) with dispensing device
- [X] Bar Bingo
- [ ] Bingo
- [ ] Tipboards
- [ ] Paddlewheel
- [ ] Paddlewheel with table
- [X] Electronic Pull-Tabs
- [ ] Electronic Linked Bingo

Electronic games may only be conducted:
1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

### PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

**BOOTH OPERATION:** Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

**ALL GAMES, including electronic games:** Monthly rent to be paid: 10%, not to exceed 10% of gross profits for that month.
- Total rent paid from all organizations for only booth operations at the leased premises may not exceed $1,750.
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

**BAR OPERATION:** All sales of gambling equipment conducted by the lessor or lessor's employee.

**ELECTRONIC GAMES:** Monthly rent to be paid: 15%, not to exceed 15% of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

**ALL OTHER GAMES:** Monthly rent to be paid: __%, not to exceed 20% of gross profits from all other forms of lawful gambling.
- If any booth sales conducted by a licensed organization at the premises, rent may not exceed 10% of gross profits for that month and is subject to booth operation $1,750 cap.

### BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:
- Rent to be paid: ____%, not to exceed 10% of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
  - OR -
  - Rate to be paid: $_________ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
  - Rent may not be paid for bar bingo.
  - Bar bingo does not include bingo games linked to other permitted premises.

### LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:
LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor’s immediate family and any agents or employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may prohibit the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor’s knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization’s agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor’s immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor’s violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

______________________________
Signature of Lessor:

______________________________
Signature of Organization Official (Lessee): Date:

______________________________
Print Name and Title of Lessor:

______________________________
Print Name and Title of Lessee:

______________________________
Signature of Lessor:

______________________________
Signature of Organization Official (Lessee):

______________________________
Print Name and Title of Lessor:

______________________________
Print Name and Title of Lessee:

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1908. This publication will be made available in alternative format (i.e. large print, braille) upon request. Data privacy notice: The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:

Minnesota Gambling Control Board
1711 W. County Road B, Suite 300 South
Roseville, MN 55113
Fax: 651-639-4032
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-40

February 9, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Approval to Schedule June 22, 2022 City Council Workshop Meeting

Summary

Due to significant workload requiring Council’s attention, City staff is seeking approval to schedule a workshop meeting on Wednesday, June 22, 2022 at 6:30 p.m. Per Council’s practice, a Council workshop dinner will be held just before the workshop meeting at 6:00 p.m.

Recommendation

Staff recommends Council approval to schedule:

1. A Council workshop dinner on Wednesday, June 22, 2022 at 6:00 p.m. to be held in the Birch Conference Room, First Floor, Woodbury City Hall; and
2. A Council workshop meeting on Wednesday, June 22, 2022 at 6:30 p.m. to be held in the Ash North and South Conference Rooms, First Floor, Woodbury City Hall.

Fiscal Implications

There are no budget implications.

Policy

Minnesota Statute Chapter 13D – Open Meeting Law.

Public Process

This is the first public process for this item.

Background

Not applicable.

Written By: Kimberlee K. Blaeser, City Clerk
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: None
City of Woodbury, Minnesota  
Office of City Administrator  

Council Letter 22-41  

February 9, 2022  

To: The Honorable Mayor and Members of the City Council  

From: Clinton P. Gridley, City Administrator  

Subject: Approval of Tobacco Sales License for Dahab Dollar Store, LLC dba Dahab Dollar Store; 1750 Weir Drive, Suite 7  

Summary  

Dahab Dollar Store, LLC dba Dahab Dollar Store has submitted an application for a new Tobacco Sales License for their new store to be located at 1750 Weir Drive, Suite 7.  

Recommendation  

Staff recommends Council approve issuing a Tobacco Sales License to Dahab Dollar Store, LLC, dba Dahab Dollar Store for their location at 1750 Weir Drive, Suite 7.  

Fiscal Implications  

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tobacco Sales License Fee</td>
<td>$ 300.00</td>
</tr>
<tr>
<td>Background Investigation Fee</td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

Policy  

Woodbury City Code Chapter 11 – Licenses, Permits and Miscellaneous, Article II – Tobacco Sales.  

Public Process  

This is the first time the City Council has reviewed this request.  

Background  

Dahab Dollar Store, LLC dba Dahab Dollar Store has submitted an application for a new Tobacco Sales License for their store to be located at 1750 Weir Drive, Suite 7.  

The sole owner and president of Dahab Dollar Store, LLC is Mahad Ali Salaad. A criminal history check as it pertains to tobacco sales was conducted on Mahad Ali Salaad and there were no violations that would preclude the applicant from obtaining a tobacco sales license.
The applicant has submitted the license fee and background investigation fee. The City Attorney has reviewed the application and has found it to be in order.

Written By: Kimberlee K. Blaeser
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: None
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-42

February 9, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Vacate Easement; Lots 1 and 2, Block 1 Reliance City Center

Summary

In August of 2021, the existing building located at 1914 Donegal Drive was approved for demolition and redevelopment. The new building location encroaches within a portion of an existing public drainage and utility easement. As part of the project, the existing stormwater pipe is being relocated and a private drainage and utility easement will be created over the new location between property owners. The existing drainage and utility easement will no longer contain infrastructure and is therefore requested to be vacated.

A public hearing has been established for the February 9, 2022, for the Council to consider vacating a portion of the drainage and utility easement, as described, embraced within Lots 1 and 2, Block 1, Reliance City Center, Washington County, Minnesota.

The vacation of the existing drainage and utility easement will be conditioned on the recording of the new private drainage and utility easement.

Recommendation

Staff recommends Council adopt the attached resolution vacating that part of the drainage and utility easement, embraced within Lots 1 and 2, Block 1, Reliance City Center 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

January 23, 2022 Notice of public hearing published in local paper
January 30, 2022 Notice of public hearing published in local paper
February 9, 2022 Public Hearing
Background

Launch Properties submitted an application for an Amended Planned Development, Conditional Use Permit and Site and Building plan to remove the existing building at 1914 Donegal Drive and construct a new multi-tenant retail/restaurant building which was approved by City Council on August 11, 2021. As part of the site plan development it was determined the new building would encroach within a portion of an existing public drainage and utility easement. It was determined by staff that the existing drainage and utility easement was no longer needed due to the relocation of the storm water piping and the new easement will be private with no public infrastructure.

Written By: Teresa Keller, Sr. 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 Lots 1 and 2, Block 1, Reliance City Center Addition, Washington County, Minnesota

WHEREAS, the developer is redeveloping Lot 2, Block 1 of the Reliance City Center Addition which requires the relocation of a private storm water pipe; and

WHEREAS, the developer desires to vacate a public drainage and utility easement, embraced within Lots 1 and 2, Block 1, Reliance City Center Addition, Washington County, Minnesota; and

WHEREAS, Council held a public hearing on February 9, 2022; and

WHEREAS, no objections to the vacation of said described drainage and utility easement were made known to the City Council; and

WHEREAS, it appears to be in the best interest of the public to vacate said drainage and utility 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 Lots 1 and 2, Block 1, RELIANCE CITY CENTER, Washington County, Minnesota, be vacated as described below and conditional upon the recording of the new private drainage and utility easement:

Commencing at a northeast corner of said Lot 2, Block 1, RELIANCE CITY CENTER; thence North 89 degrees 10 minutes 32 seconds West, assumed bearing, along a north line of said Lot 2, a distance of 97.60 feet; thence South 34 degrees 25 minutes 25 seconds East, a distance of 4.90 feet to the existing platted drainage and utility easement and the point of beginning of the vacation to be described; thence North 89 degrees 10 minutes 32 seconds West, a distance of 7.72 feet; thence South 31 degrees 47 minutes 46 seconds East, a distance of 80.66 feet; thence North 79 degrees 34 minutes 10 seconds East, a distance of 89.97 feet; thence South 00 degrees 46 minutes 45 seconds West, a distance of 20.39 feet; thence South 79 degrees 34 minutes 10 seconds West, a distance of 99.66 feet; then North 31 degrees 47 minutes 46 seconds West, a distance of 129.73 feet to the existing platted drainage and utility easement and vacation area there terminating 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 9th day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Hiring update
The Human Resources Division is currently recruiting for the following positions:
- Full-time Building Maintenance Technician
- Full-time Fleet Specialist
- Full-time Engineering Project Manager
- Part-time/Temporary Community Service Officer
- Customer Service Assistant – Central Park

In addition, the city is seeking applicants for the following seasonal positions:

<table>
<thead>
<tr>
<th>Position</th>
<th>Hourly Wage Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering and Environmental Intern</td>
<td>$17-$20</td>
</tr>
<tr>
<td>Public Safety Intern</td>
<td>$13</td>
</tr>
<tr>
<td>Public Service Worker-Street Maintenance, Long Term</td>
<td>$16</td>
</tr>
<tr>
<td>Public Service Worker-Street Maintenance, Short Term</td>
<td>$15</td>
</tr>
<tr>
<td>Eagle Valley Golf Course – Food and Beverage Concessions</td>
<td>$10.50-$13</td>
</tr>
<tr>
<td>Eagle Valley Golf Course – Golf Shop Attendant</td>
<td>$11-$14</td>
</tr>
<tr>
<td>Eagle Valley Golf Course – Maintenance Worker</td>
<td>$11-$16</td>
</tr>
<tr>
<td>Eagle Valley Golf Course – Outside Service</td>
<td>$10-$12</td>
</tr>
<tr>
<td>Eagle Valley Golf Course – Starter Ranger</td>
<td>$11-$13</td>
</tr>
<tr>
<td>Eagle Valley Golf Course – Spray Technician/Maintenance Intern</td>
<td>$12-$16</td>
</tr>
<tr>
<td>Lifeguard (Camp Carver)</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Puppet Wagon Puppeteer</td>
<td>$12-$16</td>
</tr>
<tr>
<td>Recreation Program Assistant</td>
<td>$15-$16</td>
</tr>
<tr>
<td>Summer Youth Programs Instructor</td>
<td>$12-$16</td>
</tr>
<tr>
<td>Tennis Instructor</td>
<td>$12-$14</td>
</tr>
<tr>
<td>Athletic Field Attendant</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Ballfield Groomer</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Ballfields Grounds Crew</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Forestry Intern</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Horticulturist</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Parks &amp; Forestry Worker</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Parks &amp; Forestry Weekend Worker</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Irrigation Technician</td>
<td>$14-$17</td>
</tr>
<tr>
<td>Utility Maintenance Worker – Long Term</td>
<td>$16</td>
</tr>
<tr>
<td>Utility Maintenance Worker – Short Term</td>
<td>$15</td>
</tr>
</tbody>
</table>

The city is progressing through the hiring process for the full-time positions of Chief Financial Officer, Police Officer and Budget Analyst.
Finally, Human Resources is preparing to recruit for the full-time positions of Public Works Coordinator, Public Service Worker – Streets (2 positions), Environmental Resources Technician, Public Service Worker – Parks and Streets, Engineering Project Coordinator, Project Engineer and IT Systems Administrator.

Community Development

Year-over-year permit totals are listed in the table below.

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>January 2021</th>
<th>January 2022</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family units</td>
<td>48</td>
<td>46</td>
<td>-4.2%</td>
</tr>
<tr>
<td>Attached units (townhomes and apartments)</td>
<td>3</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>Total residential units</td>
<td>51</td>
<td>46</td>
<td>-9.8%</td>
</tr>
<tr>
<td>Total permits issued</td>
<td>367</td>
<td>376</td>
<td>2.5%</td>
</tr>
</tbody>
</table>

Significant projects: January 2022

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Address</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Additions/Alterations with Permit Value above $100,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minnesota Vein Clinic</td>
<td>731 Bielenberg Drive, Suite 108</td>
<td>$165,000</td>
</tr>
<tr>
<td>Natalis Psychology</td>
<td>7583 Currell Boulevard, Suite 110</td>
<td>$240,000</td>
</tr>
<tr>
<td>Basecamp Fitness</td>
<td>7030 Valley Creek Plaza, Suite 104</td>
<td>$334,000</td>
</tr>
<tr>
<td>Wooddale Fun Zone</td>
<td>783 Wooddale Drive</td>
<td>$500,000</td>
</tr>
<tr>
<td>Dogtopia</td>
<td>783 Radio Drive, Suite 106</td>
<td>$522,000</td>
</tr>
<tr>
<td>Evereve</td>
<td>9020 Hudson Road, Suite 403B</td>
<td>$633,000</td>
</tr>
<tr>
<td><strong>Total Commercial Additions/Alterations</strong></td>
<td></td>
<td><strong>$2,394,000</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>New Businesses</th>
<th>Address</th>
<th>Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lady Bee’s Tailor</td>
<td>437 Commerce Drive, Suite 100</td>
<td>N/A</td>
</tr>
<tr>
<td>Dog Spaw</td>
<td>8147 Globe Drive, Suite 245</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Parks and Recreation

Updates from HealthEast Sports Center
February brings the end of the regular season for the high school and youth hockey teams. In February and March, HealthEast Sports Center (HSC) will host a number of district and state hockey youth tournaments.

The field house is almost fully booked through May.

HSC’s outdoor rink is still a popular destination for people of all ages. The broomball league will play their last games on the outdoor rink mid-February, weather permitting.
Public Works partnering with Junior Achievement

The Public Works Department is partnering with Junior Achievement to inspire local students to succeed in school and in life, while preparing the youth for successful careers. Staff will introduce students to the diverse work taking place within the city. Staff volunteers will partner with local schools and classrooms to interact with students about career skills, roles in an economy, money management, family, and community. Staff has already started creating content to engage with local students. This exciting partnership with Junior Achievement is in alignment with the City of Woodbury’s Youth Development and Education mission, “to ensure that all young people thrive in our community.” A huge thank you to Utilities Coordinator, Eli Vasser, for spearheading this effort. Recruitment in Public Works positions can at times be a challenging task, and this partnership may inspire some Woodbury youth to consider a rewarding career in Public Works.

Get to know some of the talented and committed staff participating in these videos made for the program:

- [youtu.be/mVm2YzbDiqk](youtu.be/mVm2YzbDiqk)
- [youtu.be/XzBJuBtZH6o](youtu.be/XzBJuBtZH6o)

Sanitary sewer system inspected in Woodbury Heights

In response to a recent council issue regarding the sanitary sewer system in Woodbury Heights, utilities staff televised the sanitary sewer on Edgewood Avenue. During the inspection, it was confirmed that there is severe root intrusion in the private sanitary sewer laterals, causing major blockages and sometimes sewer backups into individual homes. These roots can also cause blockages in the city main as they continue to grow and hang out of the lateral. Additionally, each of the sewer joints are beginning to show root growth despite being thoroughly cleaned and televised in spring 2021. Residents in this neighborhood will be receiving letters informing them of the root intrusion in their private lines and encouraging them to have their service lines cleared of all roots to prevent future backups.

Upcoming Meetings

Preliminary Items Scheduled for the Council Workshop Meeting of Feb. 16

1. Ensure Long-Term Drinking Water Sustainability Strategic Initiative Update
2. Roadway and Trail Policy Review

Other Meetings

1. Economic Development Commission, Feb. 22, 7:30 a.m., Ash North and South Conference Rooms
2. Audit and Investment Commission, Feb. 24, 7:30 a.m., Ash North and South Conference Rooms

Respectfully submitted,

Clinton P. Gridley
City Administrator