This City Council meeting is taking place virtually and at the Woodbury City Hall in the Ash North and Ash South Conference Rooms.

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 – 6:32 p.m.
   No Items Scheduled
5. Open Forum – 6:32 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 – 6:35 p.m.

   All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.
6A. Approval of Minutes - February 9, 2022

6B. Highcroft Park and Park at the Briarcroft Development Construction; Award Contract

Staff recommends Council adopt RESOLUTION 22-34, a resolution approving award of contract to Sunram Construction Inc., in the amount of $464,002.00 for the construction of Highcroft Park and Park at Briarcroft Development projects and authorizing the Mayor and City Administrator to sign said contract.

6C. East Pointe; Final Plat and Development Agreement; Project No. 35-2022-00484

Staff recommends Council approval of East Pointe, Final Plat, Project No. 35-2022-00484. 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 22-45.

6D. AirLake North; Final Plat and Development Agreement; Project No. 35-2021-00480

Staff recommends Council approval of AirLake North, Final Plat, Project No. 35-2021-00480. 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 22-46.

6E. Interim Conditional Use Permits; Cell Towers; Five-Year Renewal

Staff recommends renewal of six (6) Interim Conditional Use Permits for cell towers as listed in Council Letter 22-47.

6F. Interim Conditional Use Permits; Annual Renewal

Staff recommends Council renew twenty-two (22) interim conditional use permits as listed in Council Letter 22-48.

6G. Approve Cooperative Agreements with Washington County for Intersection Maintenance of Traffic Signal Systems

Staff recommends Council adopt:

1. Resolution 22-35, a resolution approving the Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 13 (Radio Drive) and Hargis Parkway
2. Resolution 22-36, a resolution approving the Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 18 (Bailey Road Road) and Pioneer Drive
6H. Encroachment Agreement for METRO Gold Line BRT Project between Minnesota Pipe Line Company, LLC, Metropolitan Council and City of Woodbury; Approve Agreement

Staff recommends Council adopt RESOLUTION 22-37, a resolution approving the Encroachment Agreement for the METRO Gold Line BRT Project between Minnesota Pipe Line Company, LLC, Metropolitan Council and City of Woodbury.

6I. Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA); Acceptance of Funds; Approving Budget Amendment

Staff recommends Council adopt RESOLUTION 22-38, a resolution accepting Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Grant in the amount of $248,393 and approving the associated budget amendment.

6J. T-Mobile Central, LLC; Site Lease Agreement; Amendment No. 1 Hudson Road Water Tower

Staff recommends Council adopt RESOLUTION 22-39, a resolution approving Amendment No. 1 to the Site Lease Agreement Dated January 1, 2005, between T-Mobile Central LLC and the City of Woodbury and authorizing the Mayor and City Administrator to sign Amendment No. 1.

6K. New Cingular Wireless PCS, LLC (AT&T) Site Lease Agreement; Amendment No. 2 Colby Lake Park Monopole

Staff recommends Council adopt RESOLUTION 22-40, a resolution approving Amendment No. 2 to the Site Lease Agreement dated December 16, 1997, between New Cingular Wireless PCS, LLC and the City of Woodbury and authorizing the Mayor and City Administrator to sign Amendment No. 2.

6L. Minnesota Department of Natural Resources Protecting Community Forests by Managing Ash for Emerald Ash Borer Grant; Accepting Grant; Approving Budget Adjustment

Staff recommends Council adopt RESOLUTION 22-41, a resolution accepting grant funds in the amount of $149,600 from the Minnesota Department of Natural Resources to the City of Woodbury, approving agreement, and approving appropriate budget adjustment.

6M. Revisions to Council Directive CD-FIN-5.4 Fund Balance Policy - General, Special Revenue, and Internal Service Funds

Staff recommends Council adopt RESOLUTION 22-42, a resolution approving revisions to Council Directive CD-FIN-5.4 Fund Balance Policy - General, Special Revenue and Internal Service Funds.
6N. Creation and Classification of an Assistant Fleet Services Manager Position, Appointment of Kenneth Wagner to the Assistant Fleet Services Manager position.

Staff recommends Council adopt RESOLUTION 22-43, a resolution approving the creation and classification of an Assistant Fleet Services Manager position and appointment of Kenneth Wagner to the Assistant Fleet Services Manager position effective February 28, 2022.

6O. Approval of Tobacco Sales License for Giza, Inc. dba Moon Soon Tobacco; 6671 Valley Creek Road, Suite 200

Staff recommends Council approve issuing a Tobacco Sales License to Giza, Inc. dba Moon Soon Tobacco for their location at 6671 Valley Creek Road, Suite 200.

6P. Approval of Liquor License Renewals; License Year April 1, 2022 through March 31, 2023

Staff recommends Council renew the liquor licenses of the businesses on the list attached to Council Letter 22-58 for the period of April 1, 2022 through March 31, 2023.

6Q. Approval of Tobacco Sales License Renewals; License Year April 1, 2022 through March 31, 2023

Staff recommends Council renew the tobacco sales license of the businesses on the list attached to Council Letter 22-59 for the period of April 1, 2022 through March 31, 2023.

6R. 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 February 4, 2022 in the amount of $1,434,599.54 and February 11, 2022 in the amount of $642,169.67.

7. Public Hearings – 6:37 p.m.

No Items Scheduled

8. Discussion – 6:37 p.m.

No Items Scheduled

9. Staff Reports – 6:37 p.m.

9A. Transportation Report (2nd meeting of the month – May through October)
9B. City Administrator's Report

10. Adjournment – 6:40 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 9th day of February 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, Steve Morris, and Jennifer Santini. Councilmember Andrea Date attended remotely. Absent: None.

Others Present: Kimberlee K. Blaeser, City Clerk; Pam Whitmore, City Attorney; Clinton Gridley, City Administrator; and Chris Hartzell, Engineering Director.

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.

Councilmember Wilson requested that Consent Agenda Item 6E be moved to Discussion.

Item A Approval of Council Minutes – January 26, 2022

Item B To adopt the following resolution  

Resolution 22-29

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.
Item C  To adopt the following resolution  

Resolution 22-30  
Resolution of the City of Woodbury, Washington County, Minnesota approving the Guaranteed Energy-Saving Agreement with Apex Companies for $1,317,152, for the HealthEast Sports Center Project and corresponding budget amendment.

Item D  To adopt the following resolution  

Resolution 22-31  
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.

Item E  Waypointe of Woodbury; Final Plat and Development Agreement; Project No. 35-2021-00475.  This item was pulled from the Consent Agenda and moved to the discussion portion of the meeting.

Item F  To adopt the following resolution  

Resolution 22-32  
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 at 3rd Act Brewery located at 4120 Radio Drive.

Item G  To adopt a motion to schedule a City Council workshop dinner on Wednesday, June 22, 2022 at 6:00 p.m. and a Council workshop meeting at 6:30 p.m. to be held in the Ash North and South Conference Rooms, First Floor, Woodbury City Hall.

Item H  To adopt a motion approving issuance of a Tobacco Sales License to Dahab Dollar Store, LLC, dba Dahab Dollar Store for their location at 1750 Weir Drive, Suite 7.

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

Councilmember Santini moved, seconded by Councilmember Morris, 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. Vacate Easement; Lots 1 and 2, Block 1 Reliance City Center

Engineering Director Chris Hartzell reviewed a request to vacate an existing easement and dedication of a new private easement for privately owned storm sewer between Lots 1 and 2 of Reliant City Center. The project location is at the northeast corner of Radio Drive and Valley Creek Road. The new multi-tenant building on Lot 2 is encroaching on an existing easement containing a private stormwater line serving Lots 1 and 2 of this development. New pipe will be installed as part of the project, and a private easement will be dedicated over the new stormwater line. The existing easement will no longer be necessary.

Mr. Hartzell stated City Staff recommends vacating the public drainage and utility easement within Lots 1 and 2, Reliance City Center Addition, contingent upon the applicant dedicating a new private easement.
Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting via voice:

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

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

**Resolution 22-33**

Resolution of the City of Woodbury, Washington County, Minnesota vacating that part of the drainage and utility easement, embraced within Lots 1 and 2, Block 1, Reliance City Center Addition, Washington County, Minnesota.

Voting via voice:

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

**Discussion Item Moved From Consent – Item 6E**

**A. Waypointe of Woodbury Final Plat, Project No. 35-2021-00475**

Councilmember Wilson stated she pulled this item from the Consent Agenda as she intends to vote differently.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt a motion approving Waypointe of Woodbury, Final Plat, Project No. 35-2021-00475, and authorizing the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 22-38.

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.
Voting via voice:

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

Transportation Report (2nd meeting of the month, May-October)

No items scheduled

City Administrator’s Report

City Administrator Clint Gridley stated the Field House is almost fully booked through May 2022, which indicates that demand for use of the facility is returning after a few difficult years.

Mr. Gridley reviewed upcoming meetings:

- Wednesday February 16, 2022 - City Council Workshop to discuss water treatment plant legislative strategy and a general update.
- An upcoming City Council Workshop is being planned that will focus on roadway and trail policy review.
- February 22, 2022 - Economic Development Commission meeting to be held at 7:30 a.m. in the Ash North and South Conference Room.
- February 24, 2022 - Audit & Investment Commission meeting to be held at 7:30 a.m. in the Ash North and South Conference Room.

Mayor Burt thanked the Public Works Department for their hard work and efforts on the Junior Achievement Program.

Mayor Burt stated the Polar Plunge to support Special Olympics will be held this weekend, and many members of the City’s Public Safety Department are taking part in this event.

Adjourn to Council Workshop Meeting

Councilmember Morris moved, seconded by Councilmember Morris, to adjourn the City Council meeting at 7:11 p.m. to the Council Workshop meeting.

Voting via voice:

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

Respectfully submitted,

_________________________________________
Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on February 23, 2022
Council Letter 22-44

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Highcroft Park and Park at the Briarcroft Development Construction; Award Contract

Summary

The Highcroft Park and the park at Briarcroft Development plans have evolved based upon feedback received from the Parks and Natural Resources Commission (PNRC) and the community engagement process conducted in 2020 and 2021. During the community engagement process, staff solicited feedback via an online survey and from residents in the greater area adjacent to the project to establish needs. Staff also considered the known housing types of single-family and rental homes, the available area to be developed, and recreational gaps in the area to help guide proposed amenities. The information gathered was used to identify priority improvements for the parks.

Based on the current market unpredictability and project estimates, staff used a base bid plus alternates strategy to keep within the proposed budget and provide flexibility with the award of the project.

Project bids were solicited publicly for three weeks with bids received on February 15, 2022. Seven bids were received, opened, and tabulated according to law for the Highcroft Park and park at Briarcroft Development projects. Sunram Construction Inc., submitted the low bid, plus bid alternate, for an additional half basketball court at the park at Briarcroft Development of $464,002.

Recommendation

Staff recommends Council adopt the attached resolution approving award of contract to Sunram Construction Inc., in the amount of $464,002.00 for the construction of Highcroft Park and Park at Briarcroft Development projects and authorizing the Mayor and City Administrator to sign said contract.

Fiscal Implications

Sufficient funds are available in the approved 2022 Park Dedication Fund budget for a contract with Sunram Construction Inc., for the park at the Briarcroft Development construction project ($460,000). Additional funding for the Highcroft Park project as part of the contract is
available from fund balance pending project carryover approval in March for unused budget appropriation ($230,000) from 2021 to 2022.

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

December 2020 Project Public Engagement Survey
Summer 2021 Finalize concept design phase
July 13, 2021 PNRC concept review
October 5, 2021 PNRC concept review
October 27, 2021 Project website updated and letter sent to surrounding neighborhood noticing final proposed concept plan
November 3, 2021 PNRC concept approval
January 2022 Project bidding

Background

The City of Woodbury continues experiencing sustained residential development south of Bailey Road in the Phase II development area. As the City continues to grow, it is critical to provide a thoughtful and comprehensive approach to providing new parks, trails and other recreational amenities.

As outlined in the Comprehensive Plan, the City is committed to following guiding principles, which highlight community values regarding parks, trails and open spaces. When deciding on the location for new park amenities, the City considers the broader system makeup creating a comprehensive approach to the entire park system. The goal is to provide high-quality services while promoting recreational facilities, neighborhood and community parks, a city-wide network of trails, and preservation of and access to natural resources.

In addition to nearby Oehlke Park, Fair Haven Park, and Summerlin Park, along with planned parks in Bridlewood Farms and Arbor Ridge, Highcroft Park and the park at Briarcroft Development will provide opportunities for gathering spaces and play features creating nodes in the neighborhoods with a wide array of park options for residents. In combination with the HealthEast Sports Center, these park spaces, and the connection with the trail system will provide recreational opportunities within walking or biking distance for current developments south of Bailey Road.

Written By: Josh Kinney, Parks Planner
Approved Through: Michelle Okada, Parks and Recreation Director
Attachment: 1. Resolution
2. Highcroft Park and Park at Briarcroft Development Concept Plans
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving Award of Contract to Sunram Construction Inc., in the Amount of $464,002.00 for the Construction of Highcroft Park and Park at Briarcroft Development Projects and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, on February 15, 2022, pursuant to an advertisement for bids for the Highcroft Park and park at Briarcroft Development projects, electronic bids were received, opened and tabulated according to law, for the Highcroft Park and park at the Briarcroft Development construction projects; and

WHEREAS, the apparent low responsive and responsible bid was received from Sunram Construction Inc., 20010 75th Avenue North, Corcoran, Minnesota 55340; and

WHEREAS, the Sunram Construction Inc., total project price is $464,002.00; and

WHEREAS, staff recommends the Council approve the contract with Sunram Construction Inc., for the Highcroft Park and park at Briarcroft Development construction 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 Sunram Construction Inc., total price for the Highcroft Park and park at the Briarcroft Development construction 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, according to the plans and specifications on file.

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 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

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

Council Letter 22-45

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: East Pointe; Final Plat and Development Agreement; Project No. 35-2022-00484

Summary

Maplewood Development has submitted a Final Plat application for the East Pointe residential development, formerly named AirLake South. The Applicant is requesting to plat 41 single family homes, 49 detached townhomes and 50 attached townhomes on 40.19 acres. The property is located east of Woodbury Drive and south of Dale Road. 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 East Pointe, Final Plat, Project No. 35-2022-00484. 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. The homeowners association documents shall identify association maintenance of all trails and sidewalks within the subdivision, including the trail within Outlot A.

12. Lot 20, Block 4 shall not be buildable until Burnt Rock Road is extended to the east. The Preliminary Plat identifies construction of a temporary cul-de-sac on the lot which must be removed to consider the lot buildable.

13. 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 – July 12, 2021
Preliminary Plat Planning Commission – January 10, 2022
Preliminary Plat Public Hearing- January 26, 2022

**Background**

At their January 26, 2022 meeting the City Council approved the AirLake South Rezoning, Planned Unit Development, Conditional Use Permit and Preliminary Plat.

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 provides the cumulative total of platted lots.

<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>East Pointe (pending approval)</td>
<td>140</td>
</tr>
<tr>
<td>AirLake North (pending approval)</td>
<td>115</td>
</tr>
<tr>
<td>Bridlewood Farms 7th</td>
<td>33</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>388</strong></td>
</tr>
</tbody>
</table>

Written By: Eric Searles, Assistant Community Development Director/City Planner
Approved Through: Janelle Schmitz, Community Development Director
Attachments: 11 x 17 Plans
KNOW ALL BY THESE PRESENTS: That Spancil Hill Partners, LLC, a Minnesota Limited Liability company, owner of the following described property situated in the County of Washington, State of Minnesota

The Northwest Quarter of the Northeast Quarter of Section 35, Township 28, Range 21, Washington County, Minnesota

has caused the same to be surveyed and platted as EAST POINTE and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Spancil Hill Partners, LLC, a Minnesota Limited Liability company, has caused these presents to be signed by its proper officer this _______ day of ___________________, 20______.

By: ________________________________________________________

Mario J. Cocchiarella, Chief Manager

STATE OF ___________________
COUNTY OF ___________________
This instrument was acknowledged before me on this _______ day of ___________________, 20______, by Mario J. Cocchiarella, Chief Manager of Spancil Hill Partners, LLC, a Minnesota Limited Liability company, on behalf of the company.

________________________________________________________(Signature)
________________________________________________________(Print)

Notary Public, _________________ County, Minnesota

My Commission Expires __________________________.

SURVEYOR'S CERTIFICATE
I Peter Goers, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on the plat; and prepared this plat or directly supervised the preparation of this plat. That I am a duly Licensed Land Surveyor in the State of Minnesota. That this plat is a correct representation of the boundary survey. That all mathematical data and labels are correctly designated on this plat; 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 wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 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.

Dated this _______ day of ___________________, 20______

________________________________________________________
Peter Goers, Licensed Land Surveyor
Minnesota License No. 44110

STATE OF MINNESOTA
COUNTY OF ___________________
This instrument was acknowledged before me on this _______ day of ___________________, 20______, by Peter Goers, Licensed Land Surveyor, Minnesota License No. 44110.

________________________________________________________(Signature)
________________________________________________________(Print)

Notary Public, _________________ County, Minnesota

My Commission Expires __________________________.

CITY OF WOODBURY, MINNESOTA
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 505.021, Subd. 11.

Signed ___________________ ____________________
Mayor
City Administrator

COUNTY SURVEYOR
Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 10, the plat has been reviewed and approved this _______ day of ___________________, 20______. By ___________________ ____________________
Washington County Surveyor

COUNTY AUDITOR/TREASURER
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9 and Section 272.12, taxes payable in the year 20______, on real estate hereinbefore described, have been paid; and there are no delinquent taxes, and transfer has been entered on this _______ day of ___________________, 20______

By ___________________ ____________________
Washington County Auditor/Treasurer

COUNTY RECORDER
Document Number ________________________________________
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _______ day of ___________________, 20______, at ______ o’clock ___.M. and was duly recorded in Washington County Records.

By:________________________________________________________
By: ________________________________________________________
Washington County Recorder
Deputy

EAST POINTE
Summary

Maplewood Development has submitted a Final Plat application for the AirLake North residential development. The Applicant is requesting to plat 38 single family homes, 35 detached townhomes and 42 attached townhomes lots. The property is located east of Woodbury Drive and north of Dale Road. 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 AirLake North, Final Plat, Project No. 35-2021-00480. 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. Temporary cul-de-sacs shall be required as required by the City Engineer.

12. 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 – July 12, 2021
Preliminary Plat Planning Commission – November 1, 2021
Preliminary Plat Public Hearing- November 10, 2021

Background

At their November 10, 2021 meeting the City Council approved the AirLake North Rezoning, Planned Unit Development, Conditional Use Permit and Preliminary Plat.

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 provides the cumulative total of platted lots.

<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>East Pointe (pending approval)</td>
<td>140</td>
</tr>
<tr>
<td>AirLake North (pending approval)</td>
<td>115</td>
</tr>
<tr>
<td>Bridlewood Farms 7th</td>
<td>33</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>388</strong></td>
</tr>
</tbody>
</table>

Written By: Eric Searles, Assistant Community Development Director/City Planner
Approved Through: Janelle Schmitz, Community Development Director
Attachments: 11 x 17 Plans
KNOW ALL BY THESE PRESENTS: That Spancil Hill Partners, LLC, a Minnesota Limited Liability company, owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

The East Half of the Southwest Quarter of Section 26, Township 28, Range 21, Washington County, Minnesota.

Has caused the same to be surveyed and platted as AIRLAKE NORTH and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat.

In witness whereof said Spancil Hill Partners, LLC, a Minnesota Limited Liability company, has caused these presents to be signed by its proper officer the _______ day of ___________________, 20______.

By: ________________________________________________________
Mario J. Cocchiarella, Chief Manager

STATE OF ___________________
COUNTY OF ___________________
This instrument was acknowledged before me on this _______ day of ___________________, 20______, by  Mario J. Cocchiarella, Chief Manager of Spancil Hill Partners, LLC, a Minnesota Limited Liability company, on behalf of the company.
________________________________________________________(Signature)
________________________________________________________(Print)
Notary Public, _________________ County, _________________
My Commission Expires __________________________.

SURVEYOR'S CERTIFICATE
I Peter Goers, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on the plat; and prepared this plat or directly supervised the preparation of this plat. I am a duly Licensed Land Surveyor in the State of Minnesota. If I am not the surveyor of record on the survey, I certify that I am a duly Licensed Land Surveyor in the State of Minnesota. The plat plan is a correct representation of the boundary survey. Each of the monuments depicted on the plat is clearly designated on the plat, and can be read from the plat. The plat plan is a correct representation of the boundary survey. Each of the monuments depicted on the plat is clearly designated on the plat, and can be read from the plat.

Dated this _______ day of ___________________, 20______.
________________________________________________________
Peter Goers, Licensed Land Surveyor
Minnesota License No. 44110

STATE OF MINNESOTA
COUNTY OF ___________________
This instrument was acknowledged before me on this _______ day of ___________________, 20______, by Peter Goers, Licensed Land Surveyor, Minnesota License No. 44110.
________________________________________________________(Signature)
________________________________________________________(Print)
Notary Public, _________________ County, Minnesota
My Commission Expires __________________________.

COUNTY SURVEYOR
Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.01, Subd. 3, the plat is hereby recorded and approved the _______ day of ___________________, 20______. (PRINT)

________________________________________________________
Washington County Surveyor

COUNTY AUDITOR/RECEIVER
Pursuant to Minnesota Statutes, Section 505.01, Subd. 5, and Section 272.12, taxes payable in the year _______ on real estate hereinbefore described, have been paid, and there are no delinquent taxes, and transfer has been entered on this _______ day of ___________________, 20______.
________________________________________________________(Signature)
________________________________________________________(Print)
Washington County Auditor/Receiver

COUNTY RECORDER
Document Number ________________________________________
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _______ day of ___________________, 20______ at ______ o'clock _______.M. and was duly recorded in Washington County Records.
________________________________________________________(Signature)
________________________________________________________(Print)
Washington County Recorder
Deputy

AIRLAKE NORTH

CITY OF WOODBURY, MINNESOTA
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 505.03, Subd. 2.

Signed __________________________      Attest: __________________________
Mayor                          City Administrator

COUNTY SURVEYOR
Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.01, Subd. 3, the plat is hereby recorded and approved the _______ day of ___________________, 20______.

________________________________________________________
Peter Goers, Licensed Land Surveyor
Minnesota License No. 44110

COUNTY AUDITOR/TREASURER
Pursuant to Minnesota Statutes, Section 505.01, Subd. 5, and Section 272.12, taxes payable in the year _______ on real estate hereinbefore described, have been paid, and there are no delinquent taxes, and transfer has been entered on this _______ day of ___________________, 20______.

________________________________________________________(Signature)
________________________________________________________(Print)
Washington County Auditor/Treasurer
Deputy

COUNTY RECORDER
Document Number ________________________________________
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _______ day of ___________________, 20______ at ______ o'clock _______.M. and was duly recorded in Washington County Records.
________________________________________________________(Signature)
________________________________________________________(Print)
Washington County Recorder
Deputy
AIRLAKE NORTH

INSET A

(SHEET 2 OF 4 SHEETS)
Council Letter 22-47

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Interim Conditional Use Permits; Cell Towers; Five-Year Renewal

Summary

Interim Conditional Use Permits (ICUPs) are reviewed and renewed for cell towers every five (5) years by the City Council. Staff inspects each property to ensure that all of the conditions of approval are being met.

Recommendation

Staff recommends renewal of six (6) Interim Conditional Use Permits for cell towers.

Renewal

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-04</td>
<td>1. SBA Communications Corporation</td>
</tr>
<tr>
<td>99-71</td>
<td>2. Vertical Bridge Reit</td>
</tr>
<tr>
<td>97-07</td>
<td>3. Crown Castle</td>
</tr>
<tr>
<td>96-73</td>
<td>4. Crown Castle</td>
</tr>
<tr>
<td>07-49</td>
<td>5. Washington County Sheriff</td>
</tr>
<tr>
<td>08-20</td>
<td>6. Verizon Wireless</td>
</tr>
</tbody>
</table>

Financial Implications

There is no budget impact.

Policy

Chapter 24, Interim Conditional Use Permit

Public Process

Each of these projects were reviewed by Council at the time of original approval.

Background

There are six (6) Interim Conditional Use Permits (ICUPs) for cell towers up for renewal at this time. Six permit holders are requesting to extend their permit for five (5) years. For all locations, the towers remain in good condition and there are no changes from the approved permits. No complaints have been received. Staff recommends the permits be approved for another five years.
1. SBA Communications Corporation
   5000 Valleystone Drive
   Cary, NC 27519
   Case No. 04-04 – (Woodbury Public Safety Building)

2. Vertical Bridge Reit, LLC.
   750 Park of Commerce Dr., Suite 200
   Boca Raton, FL 33487
   Case No. 99-71 – (Woodbury Village)

3. Crown Castle
   8020 Katy Freeway
   Houston, TX 77024
   Case No. 97-07 – (Colby Lake Park)

4. Crown Castle
   8020 Katy Freeway
   Houston, TX 77024
   Case No. 96-73 – (5260 Manning Avenue South)

5. Washington County Sheriff’s Office
   14949 62nd Street N
   Stillwater, MN 55082
   Case No. 07-49 – Washington County Emergency Communication Tower – (Upper Afton Road)

6. Verizon Wireless
   Network Real Estate Great Plains
   10801 Bush Lake Rd.
   Bloomington, MN 55438
   Case 08-20 – (1320 Manning Ave)

Written By: Dan Krumwiede, Planner 1
Approved Through: Eric Searles, Assistant Community Development Director/City Planner
Janelle Schmitz, Community Development Director
Attachments: None
Council Letter 22-48

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Interim Conditional Use Permits; Annual Renewal

Summary

Interim Conditional Use Permits (ICUPs) are reviewed and renewed annually by the City Council. Staff inspects each property to ensure that all of the conditions of approval are being met. Throughout the year, staff conducts reviews and works with applicants to ensure year-round compliance.

Recommendation

Staff recommends Council renew twenty-two (25) interim conditional use permits as listed below.

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Description</th>
<th>Permittee</th>
</tr>
</thead>
<tbody>
<tr>
<td>82-42</td>
<td>Horse Boarding</td>
<td>Mark Ward</td>
</tr>
<tr>
<td>87-54/98-138</td>
<td>Bus Storage</td>
<td>New Life Church</td>
</tr>
<tr>
<td>01-09</td>
<td>Seasonal Sales</td>
<td>Kowalski’s Market</td>
</tr>
<tr>
<td>07-12</td>
<td>Seasonal Sales</td>
<td>Cub Foods</td>
</tr>
<tr>
<td>97-38</td>
<td>Composting</td>
<td>Composting Concepts</td>
</tr>
<tr>
<td>98-31/02-93</td>
<td>Seasonal Sales</td>
<td>St. Paul Farmers’ Market</td>
</tr>
<tr>
<td>04-05</td>
<td>Seasonal Sales</td>
<td>Home Depot</td>
</tr>
<tr>
<td>82-37</td>
<td>Horse Boarding</td>
<td>Ann Clancy</td>
</tr>
<tr>
<td>10-54</td>
<td>Electronic Sign</td>
<td>Seasons Marketplace</td>
</tr>
<tr>
<td>11-27</td>
<td>Electronic Sign</td>
<td>Speedway</td>
</tr>
<tr>
<td>07-2013-00097</td>
<td>Electronic Sign</td>
<td>Shell Gas Station</td>
</tr>
<tr>
<td>08-2013-00070</td>
<td>Seasonal Sales</td>
<td>Plant Place-Lund’s &amp; Byerly’s</td>
</tr>
<tr>
<td>25-2013-00092</td>
<td>Electronic Sign</td>
<td>Resurrection Lutheran Church</td>
</tr>
<tr>
<td>29-2013-00068</td>
<td>Electronic Sign</td>
<td>Five Oaks Church</td>
</tr>
<tr>
<td>07-2014-00112</td>
<td>Electronic Sign</td>
<td>Woodlane Professional Center</td>
</tr>
<tr>
<td>03-2014-00132</td>
<td>Electronic Sign</td>
<td>Schneiderman’s Furniture</td>
</tr>
<tr>
<td>29-2016-00200</td>
<td>Seasonal Sales</td>
<td>Jerry’s Foods</td>
</tr>
<tr>
<td>30-2017-00265</td>
<td>Solar Garden</td>
<td>Greenmark Solar</td>
</tr>
<tr>
<td>02-2018-00315</td>
<td>Electronic Sign</td>
<td>Kwik Trip</td>
</tr>
<tr>
<td>09-2019-00316</td>
<td>Electronic Sign</td>
<td>Kwik Trip</td>
</tr>
<tr>
<td>29-2020-00414</td>
<td>Electronic Sign</td>
<td>Salem Lutheran Church</td>
</tr>
<tr>
<td>16-2021-00433</td>
<td>Electronic Sign</td>
<td>Twin Cities Surgery</td>
</tr>
<tr>
<td>07-2021-00439</td>
<td>Electronic Sign</td>
<td>Holiday</td>
</tr>
<tr>
<td>07-2021-00442</td>
<td>Electronic Sign</td>
<td>Woodbury Baptist</td>
</tr>
</tbody>
</table>
Fiscal Implications

There is no budget impact.

Policy

Chapter 24, Interim Conditional Use Permit

Public process

Each of these projects were reviewed by Council at the time of original approval.

Background

Interim conditional uses are defined as a temporary use of a property until a particular date or event. Uses must conform to the zoning regulations, and the City Council can place conditions on the permit deemed appropriate for the use. The City Code requires annual renewal of ICUPs and staff conducts an inspection of each site to confirm compliance with the conditions.

Written By: Dan Krumwiede, Planner I
Approved Through: Eric Searles, Assistant Community Development Director/City Planner
Janelle Schmitz, Community Development Director
Attachment: None
Council Letter 22-49

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approve Cooperative Agreements with Washington County for Intersection Maintenance of Traffic Signal Systems

Summary

The City and Washington County staff have worked together to identify intersection control maintenance items that are in need of updated maintenance agreements. These agreements cover intersections that do not have existing agreements, or have outdated agreements identifying maintenance responsibilities for each agency. Cooperative Agreements for Maintenance have been prepared for the following intersections:

1. Radio Drive and Hargis Parkway
2. Bailey Road and Pioneer Drive

Recommendation

Staff recommends Council adopt the attached resolutions:

1. Approving the Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 13 (Radio Drive) and Hargis Parkway
2. Approving the Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 18 (Bailey Road Road) and Pioneer Drive

Fiscal Implications

Consistent with traffic signal system cooperative maintenance agreements across the City of Woodbury, the City would be responsible for electrical service and street light luminaire replacement costs for the signals and intersection lighting. These expenditures have been included within the 2022 General Fund – Street Lighting Budget and are consistent with current maintenance operations.

Policy

Not applicable.
Public Process

No specific public process is applicable to formalize these agreements. A full public process was conducted as projects were proposed and the traffic control systems were installed with the projects.

Background

Cooperative agreements for maintenance of traffic signal and lighting systems is the standard form of agreement for identifying maintenance responsibilities for intersections on Washington County roadways within the City of Woodbury.

The Radio Drive and Hargis Parkway traffic signal was constructed in 2013 and the cooperative agreement identifies roles and responsibilities of each agency as it relates to intersection maintenance, lighting luminaire replacement and lighting component painting responsibilities of each agency. The Bailey Road intersection with Pioneer Drive has been in place for over a decade but does not currently have a recorded cooperative maintenance agreement identifying responsibilities of each agency as it relates to signal maintenance.

Written By: Tony Kutzke, Assistant Engineering Director/City Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachments:
1. Resolution – Maintenance Agreement for Traffic Signals at Radio Drive and Hargis Parkway
2. Resolution – Maintenance Agreement for Traffic Signals at Bailey Road and Pioneer Drive
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 13 (Radio Drive) and Hargis Parkway

WHEREAS, it has been determined a cooperative maintenance agreement is necessary to bring this intersection into current participation standards between Washington County and the City of Woodbury; and

WHEREAS, a cooperative effort between the City and County is the appropriate method to facilitate the maintenance of this transportation improvement; and

WHEREAS, the Cooperative Agreement identifies appropriate maintenance responsibilities for the City of Woodbury and Washington County.

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

1. A Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 13 (Radio Drive) and Hargis Parkway is hereby approved.

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

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-
Resolution of the City of Woodbury, Washington County, Minnesota

Approving the Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 18 (Bailey Road) and Pioneer Drive

WHEREAS, it has been determined a cooperative maintenance agreement is necessary to bring this intersection into current participation standards between Washington County and the City of Woodbury; and

WHEREAS, a cooperative effort between the City and County is the appropriate method to facilitate the maintenance of this transportation improvement; and

WHEREAS, the Cooperative Agreement identifies appropriate maintenance responsibilities for the City of Woodbury and Washington County.

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

1. A Cooperative Agreement with Washington County for Maintenance of the Traffic Signal System at the Intersection of County State Aid Highway (CSAH) 18 (Bailey Road) and Pioneer Drive is hereby approved.

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

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-50

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Encroachment Agreement for METRO Gold Line BRT Project between Minnesota Pipe Line Company, LLC, Metropolitan Council and City of Woodbury; Approve Agreement

Summary

The Metropolitan Council has completed design of the METRO Gold Line Bus Rapid Transit (BRT) project which consists of constructing roadway and other facilities within a pipeline easement owned by the Minnesota Pipe Line Company, LLC. The Metropolitan Council will own the BRT guideway and the City of Woodbury will own the roadway facilities for Bielenberg Drive which are designed with partial encroachments between Hudson Road and Stephens Way.

An Encroachment Agreement is necessary to provide the legal framework to allow the construction and future maintenance of the public facilities within the pipeline easement. The Metropolitan Council will utilize the Agreement to Federal Transit Administration (FTA) when advancing the project to the construction phase.

Recommendation

Staff recommends Council adopt the attached resolution approving the Encroachment Agreement for the METRO Gold Line BRT Project between Minnesota Pipe Line Company, LLC, Metropolitan Council and City of Woodbury.

Fiscal Implications

There are no direct fiscal implications associated with the Agreement. The Agreement describes the responsibilities of each of the parties for construction and future maintenance of public roadway facilities and transit guideway within the Minnesota Pipe Line Company, LLC easement.

Policy

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

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

Background

The Gold Line Project Office has completed the construction plans and is preparing the project for bidding and construction. The construction plans indicate Bielenberg Drive from Hudson Road to approximately 900 feet south of the Nature Path intersection will be fully reconstructed by the METRO Gold Line BRT project. While portions of the existing Bielenberg Drive roadway facilities currently encroach the Minnesota Pipe Line Company, LLC easement, the Gold Line BRT project will reconstruct Bielenberg Drive leaving portions of the roadway facilities within the easement. The Encroachment Agreement will define agency responsibilities for the construction and maintenance of Bielenberg Drive within the easement.

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

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Encroachment Agreement for METRO Gold Line BRT Project between Minnesota Pipe Line Company, LLC, Metropolitan Council and City of Woodbury

WHEREAS, it has been determined an Encroachment Agreement is necessary to allow for construction and maintenance of the Metropolitan Council’s METRO Gold Line Bus Rapid Transit project within the existing Minnesota Pipe Line, LLC easement; and

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

WHEREAS, The Grantor has pipeline easements within the project area. Grantor’s easements contain one or more pipelines in each easement; and

WHEREAS, the project will cross the pipelines and encroach on Grantor’s easements; and

WHEREAS, the Grantor has agreed to permit Grantees to encroach upon the pipelines, subject to the terms and conditions of the Agreement.

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

1. An Encroachment Agreement between Minnesota Pipe Line Company, LLC, the Metropolitan Council and City of Woodbury for construction and maintenance of the METRO Gold Line BRT project is hereby approved.

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

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

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

Council Letter 22-51

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA); Acceptance of Funds; Approving Budget Amendment

Summary

In 2021, the federal government provided $162 million to the State to offset revenue losses due to the Coronavirus Pandemic. $20 Million of these funds were provided to Metro Counties and State Aid Cities of which $248,393 is being distributed to the City based on the Municipal State Aid Streets (MSAS) annual allocation formula.

CRRSAA funds are required to be used on transportation network costs expended from January 27, 2020, to September 30, 2024. Staff has identified reimbursement of eligible 2021 expenditures within the Street Reconstruction and Maintenance Fund as the best use for acceptance of the full award allocation to the City.

Recommendation

Staff recommends Council adopt the attached resolution accepting Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Grant in the amount of $248,393 and approving the associated budget amendment.

Fiscal Implications

Acceptance of the CRRSAA Federal award in the amount of $248,393 will reimburse roadway construction expenditures for the 2021 Roadway Rehabilitation project. The 2021 award budget amendment will require an increase in Federal Grants & Aids revenue in the Street Reconstruction and Maintenance Fund and result in an addition to the fund balance of $248,393.

Policy

AD-FIN-4.3 - Grant Application and Management Policy and the City of Woodbury Federal Grants and Awards Compliance Policy Council Directive, CD-FIN-5.12 require City Council acceptance of grant and award funds.
Public Process

Not applicable.

Background

Revenue loss from the Municipal State Aid Streets (MSAS) funds were used as the approval for authorization of the CRRSAA funds transfer to the local agencies, which led to maximum flexibility for these funds. Therefore, CRRSAA funds can be used on maintenance and operations on any roadway under City jurisdiction or construction of an existing local, state aid or federal aid projects.

Written By: Tony Kutzke, City Engineer
Approved Through: Chris Hartzell, Director of Engineering
Attachments: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Accepting Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Grant in the amount of $248,393 and Approving the Associated Budget Amendment

WHEREAS, the Minnesota Department of Transportation administers the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds distributed to State Aid Cities; and

WHEREAS, the Minnesota Department of Transportation has notified Woodbury of a CRRSAA award allocation in the amount of $248,393 to the City of Woodbury to use toward eligible transportation network costs; and

WHEREAS, Woodbury has incurred eligible construction costs during delivery of the 2021 Roadway Rehabilitation Project; and

WHEREAS, Minnesota Statute §465.03 requires a City to accept grants and awards by resolution expressing the terms prescribed by the donor in full; and

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

1. Acceptance of Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funding for the City of Woodbury is hereby authorized in accordance with the terms set forth herein.

2. City staff are hereby authorized to request distribution of award funds from the Minnesota Department of Transportation.

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

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Reconstruction and Maintenance Fund</strong></td>
<td></td>
</tr>
<tr>
<td>Federal Grants and Aids</td>
<td></td>
</tr>
<tr>
<td>(499-000-00-00000-4347)</td>
<td>$248,393</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2021 City Budget expenditure increases be made:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Reconstruction and Maintenance Fund</strong></td>
<td></td>
</tr>
<tr>
<td>Addition to Fund Balance</td>
<td></td>
</tr>
<tr>
<td>(499-090-00-00000-5703)</td>
<td>$248,393</td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23\textsuperscript{th} day of February, 2022.

Attest: 

Anne W. Burt, Mayor

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

Council Letter 22-52

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: T-Mobile Central, LLC; Site Lease Agreement; Amendment No. 1 Hudson Road Water Tower

Summary

T-Mobile Central, LLC, is requesting Amendment No. 1 to their existing Site Lease Agreement dated January 1, 2005, at the Hudson Road water tower. Amendment No. 1 is for the installation of an emergency back-up natural gas generator, which requires an additional 126 square feet of ground space. An amendment to the original Site Lease Agreement is necessary anytime new or additional equipment, or additional ground space is requested at City owned facilities.

Recommendation

Staff recommends Council adopt the attached resolution approving Amendment No. 1 to the Site Lease Agreement Dated January 1, 2005, between T-Mobile Central LLC and the City of Woodbury and authorizing the Mayor and City Administrator to sign Amendment No. 1.

Fiscal Implications

Rent shall increase annual by $3,402, and thereafter shall increase in accordance with the Site Lease Agreement. All lease revenues collected are recorded as revenue in the General Fund.

Policy

Purchasing Policy CD-FIN-4.8; C-13 Leases and Lease Purchases require City Council approval.

Public Process

A public hearing was previously held regarding the original Site Lease Agreement with T-Mobile Central LLC at the Hudson Road Water Tower.

Background

T-Mobile Central LLC is requesting to install an emergency back-up natural gas generator at the Hudson Road water tower to keep services available during power outages or other emergency related situations.
Typically, it is not necessary to execute amendments to the original Site Lease Agreement when a wireless provider requests a change to their existing equipment. However, when a wireless provider requests to install new or additional equipment, or requests additional ground space beyond what is already authorized, the original Site Lease Agreement must be amended to memorialize the change in equipment, ground space and lease rent payment.

Amendment No. 1 to the original T-Mobile Central LLC Site Lease Agreement has been prepared, reviewed and approved by the City’s legal counsel and includes the standard language necessary to accommodate installation of the emergency back-up natural gas generator and additional 126 square feet of ground space requested.

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

Resolution of the City of Woodbury, 
Washington County, Minnesota 

Approving Amendment No 1 to the Site Lease Agreement Dated January 1, 2005, Between T-Mobile Central LLC and the City of Woodbury and Authorizing the Mayor and City Administrator to Sign Amendment No. 1.

WHEREAS, T-Mobile Central LLC has proposed to install an emergency back-up natural gas generator, which requires an additional 126 square feet of ground space at the Hudson Road Water Tower (9430 Hudson Road), Woodbury, Minnesota; and

WHEREAS, T-Mobile Central LLC has a Site Lease Agreement at the Hudson Road Water Tower dated January 1, 2005; and

WHEREAS, the City has reviewed Amendment No. 1 and is willing to enter into said amendment with T-Mobile Central, LLC, at the Hudson Road Water Tower.

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

1. Amendment No. 1 to the original Site Lease Agreement with T-Mobile Central, LLC, at the Hudson Road Water Tower dated January 1, 2005, is hereby approved for an additional 126 square feet of ground space.

2. Annual lease payment shall be increased by $3,402.00, and thereafter shall increase in accordance with the Lease.

3. All other terms and conditions of the original Site Lease Agreement executed on January 1, 2005, shall remain in full force and effect.

4. The Mayor and City Administrator are hereby authorized to execute Amendment No 1 to the Site Lease Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23rd day of February, 2022.

Attest: 
Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-53

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: New Cingular Wireless PCS, LLC (AT&T) Site Lease Agreement; Amendment No. 2 Colby Lake Park Monopole

Summary

New Cingular Wireless PCS, LLC, is requesting Amendment No. 2 to their existing Site Lease Agreement dated December 16, 1997, and Amendment No. 1 dated September 3, 2019, at the Colby Lake Park monopole. Amendment No. 2 grants New Cingular Wireless PCS, LLC, the option of extending the original Site Lease Agreement terms for five (5) additional five (5) year terms commencing on January 1, 2023.

Recommendation

Staff recommends Council adopt the attached resolution approving Amendment No. 2 to the Site Lease Agreement dated December 16, 1997, between New Cingular Wireless PCS, LLC and the City of Woodbury and authorizing the Mayor and City Administrator to sign Amendment No. 2.

Fiscal Implications

Rent shall be paid annually in the amount of $18,600 with a 3.5% annual escalator, and thereafter shall increase in accordance with the Site Lease Agreement. All lease revenues collected are recorded as revenue in the General Fund.

Policy

Purchasing Policy CD-FIN-4.8; C -13 Leases and Lease Purchases require City Council approval.

Public Process

A public hearing was previously held regarding the original Site Lease Agreement with New Cingular Wireless PCS, LLC at the Colby Lake Park monopole.

Background

Recently the City negotiated with New Cingular Wireless PCS, LLC, regarding an additional 5 year extension to their original Site Lease Agreement at the Colby Lake Park monopole. The original Site Lease Agreement was executed on December 16, 1997, and set to expire on December 31, 2022.
Annual rent payments are established using the City’s current fee ordinance and amount of antennas and equipment the vendor operates at the facility. Over the life of the original Site Lease Agreement, and due to technology upgrades, New Cingular Wireless PCS, LLC has completed several modifications that have reduced the number of antennas and equipment at this site. Therefore, the annual rent amount identified in Amendment No. 2 of $18,600 is less than the current annual rent amount of $23,975. Rent will be increased annually by a 3.5% escalator.

Amendment No. 2 to the original New Cingular Wireless PCS, LLC Site Lease Agreement has been prepared, reviewed and approved by the City’s legal counsel and includes the standard language necessary to extend the original Site Lease Agreement.

Written By: Doug Peterson, Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachments: Resolution
Resolution 22-
Resolution of the City of Woodbury, Washington County, Minnesota

Approving Amendment No 2 to the Site Lease Agreement Dated December 16, 1997, Between New Cingular Wireless PCS, LLC and the City of Woodbury and Authorizing the Mayor and City Administrator to Sign Amendment No. 2

WHEREAS, New Cingular Wireless PCS, LLC has proposed Amendment No. 2 to extend their current Site Lease Agreement for five (5) additional five (5) year terms after the expiration of the original Site Lease Agreement, which will commence on January 1, 2023, at the Colby Lake Park monopole (9715 Valley Creek Road), Woodbury, Minnesota; and

WHEREAS, New Cingular Wireless PCS, LLC has a Site Lease Agreement at the Colby Lake Park monopole dated December 16, 1997; and

WHEREAS, the City has reviewed Amendment No. 2 and is willing to enter into said amendment with New Cingular Wireless PCS, LLC at the Colby Lake Park monopole.

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

1. Amendment No. 2 to the original Site Lease Agreement with New Cingular Wireless PCS, LLC at the Colby Lake Park monopole dated December 16, 1997, is hereby approved granting five (5) additional five (5) year terms after the expiration of the original Site Lease Agreement, which will commence on January 1, 2023

2. Annual lease payment shall be established at $18,600.00 and increase annually by 3.5% and thereafter shall increase in accordance with the Lease.

3. All other terms and conditions of the original Site Lease Agreement executed on December 16, 1997, shall remain in full force and effect.

4. The Mayor and City Administrator are hereby authorized to execute Amendment No 2 to the Site Lease Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-54

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Minnesota Department of Natural Resources Protecting Community Forests by Managing Ash for Emerald Ash Borer Grant; Accepting Grant; Approving Budget Adjustment

Summary

Minnesota Department of Natural Resources (DNR) has a grant program to provide financial assistance to municipalities to manage ash for emerald ash borer (EAB) and improve community forests by planting a diversity variety of trees. In anticipation of the emerging issue related to the growing liability of boulevard ash trees failing, staff applied for a grant from the DNR to support the removal of boulevard ash trees. Approximately 1,100 of the 8,515 boulevard trees are ash. Although, property owners or HOAs own and maintain most boulevard trees through agreements with the City, the City retains legal liability for damage or injury caused by any boulevard trees. This complex issue will be brought to Council for discussion at the March 23, 2022 workshop.

The DNR Community Forestry Team approved Woodbury’s application for a grant to receive $149,600 for removal of boulevard ash trees infested with EAB. Parks and Forestry will fund stump grinding, planting and restoration of the removed trees with City budgeted funds.

Recommendation

Staff recommends Council adopt the attached resolution accepting grant funds in the amount of $149,600 from the Minnesota Department of Natural Resources to the City of Woodbury, approving agreement, and approving appropriate budget adjustment.

Fiscal Implications

The City was awarded funds in the amount of $149,600 from the DNR Protecting Community Forests by Managing Ash for EAB grant. The 2022 Adopted General Fund-Parks and Forestry Division Budget includes funds in the operating budget for EAB management. A budget amendment in the amount of $149,600 is necessary to account for the additional grant revenue and expenditures.
Policy

This project aligns with AD-FIN-4.3 - Grant Application and Management Policy and Critical Success Factor – Environmental Stewardship.

Public Process

The Minnestoa DNR Community Forestry Team considered and awarded the grant application on February 11, 2022.

Background

Minnesota DNR has funding available to assist to provide financial assistance to municipalities to manage ash for emerald ash borer (EAB) and improve community forests by planting a diversity of trees. Based on Council workshop past direction to identify and apply for DNR EAB grants, staff has pursued a number of DNR EAB grant opportunities and are pleased to be awarded funding.

Written By: Mary Hurliman, Public Works Director
Approved Through: Clint Gridley, City Administrator
Attachment: Resolution
Resolution 22–

Resolution of the City of Woodbury,
Washington County, Minnesota

Accepting Grant Funds in the Amount of $149,600 from Minnesota Department of Natural Resources to the City of Woodbury, Approving Agreement and Approving Appropriate Budget Adjustment

WHEREAS, the City of Woodbury has prepared a grant proposal for the purpose of managing Emerald Ash Borer (EAB); and

WHEREAS, Minnesota Department of Natural Resources Protecting Community Forests by Managing Ash for Emerald Ash Borer Grant will support the City in providing assistance with the cost of Ash tree removals through a $149,600 grant; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of Minnesota Department of Natural Resources Protecting Community Forests by Managing Ash for Emerald Ash Borer Grant for the City is hereby authorized in accordance with the terms set forth herein.

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

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund-State Grants &amp; Aids</td>
<td>$149,600</td>
</tr>
<tr>
<td>101-000-00-00000-4352</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Fund/Division/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund-Parks and Forestry Division – Contractual Services</td>
<td>$149,600</td>
</tr>
<tr>
<td>101-051-00-29078-5425</td>
<td></td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator  (SEAL)
Summary

Government Accounting Standards Board (GASB) Statement No. 54 requires the City to incorporate special revenue funds in a fund balance policy and identify the classification of fund balance. Due to the addition of the Lawful Gambling Contribution Fund, a new special revenue fund, staff is recommending a revision to the City Fund Balance Policy. City Council must commit these funds by resolution.

Recommendation

Staff recommends Council adopt the attached resolution approving revisions to Council Directive CD-FIN-5.4 Fund Balance Policy - General, Special Revenue, and Internal Service Funds.

Fiscal Implications

Commits lawful gambling funds received to be used for the same statutorily defined charitable purposes as gambling organizations.

Policy


Public Process

- December 9, 2020 - City Council amended Woodbury City Code Chapter 11 – License, Permits, and Miscellaneous Business Regulations, Article IX – Lawful Gambling.
Background

On August 11, 2021, the City Council adopted Council Directive CD-FIN-5.13 as the City’s Official Policy Providing Guidelines for Management of the Lawful Gambling Contribution Fund; a Special Revenue Fund. Beginning January 1, 2022, organizations are required to contribute five percent of net profits derived from each site within the City. The City will record this revenue in the Lawful Gambling Contribution Fund and commit those funds for the aforementioned eligible uses.

Written By: Kyle Sawyer, Interim Controller
Approved Through: Angela Gorall, Assistant City Administrator
Attachment:  
1. Resolution
Resolution 22-
Resolution of the City of Woodbury,
Washington County, Minnesota

Adopting Revisions to Council Directive CD-FIN-5.4
Fund Balance Policy – General, Special Revenue and Internal Service Funds

WHEREAS, on December 9, 2020 the City Council amended Woodbury City Code Chapter 11 – License, Permits, and Miscellaneous Business Regulations, Article IX – Lawful Gambling; and

WHEREAS, on August 11, 2021 the City Council adopted Council Directive CD-FIN-5.13 as the City’s Official Policy Providing Guidelines for Management of the Lawful Gambling Contribution Fund; a Special Revenue Fund; and

WHEREAS, revisions are necessary to Council Directive CD-FIN-5.4 Fund Balance Policy - General, Special Revenue and Internal Service Funds to reflect the created Special Revenue Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, that Council Directive CD-FIN-5.4 Fund Balance Policy – General, Special Revenue and Internal Service Funds be revised and adopted as the City’s official fund balance policy.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 23rd day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
PURPOSE

The City of Woodbury understands it has a responsibility to maintain prudent financial operations to ensure stable city operations for the benefit of city residents and businesses. Fund balance reserves are an important component in ensuring the overall financial health of a community by giving the City the ability to meet contingency needs; avoid short-term borrowing from other city funds; and address cash-flow timing needs. The Office of the State Auditor recommends that at year-end and/or at other key times of the year, local governments that rely significantly on property taxes maintain an unrestricted fund balance of approximately 35 to 50% of fund operating revenues or no less than five months of operating expenditures in the general fund and special revenue funds. While bond rating agencies do not have recommended fund balance levels, the agencies look favorably on larger fund balances, which protect against contingencies and cash flow needs. The fund balance levels impact the bond rating the City receives and our resultant interest rates.

POLICY CONSIDERATIONS

A. Fund balance is the difference between assets and liabilities.

B. The classifications established through this policy shall be used in classifying funds for year-end financial statement purposes.

C. The City Administrator and Finance Director, as part of the annual budget process, shall prepare an analysis of this policy. The analysis should include the prior year actual status of this policy and project the status for the current year. The Finance Director shall, as part of the annual audit and financial statement preparation process, see that the classifications are made as required by this policy.

D. The City Council authorizes the Finance Director and/or the City Administrator to assign fund balance for all City funds that reflects the intended use of those funds. When both restricted and unrestricted resources are available for use, it is the City’s policy to first use restricted resources, and then use unrestricted resources, as they are needed. When unrestricted resources are available for use, it is the City’s policy to use resources in the following order: 1) committed 2) assigned 3) unassigned.

CD-FIN-5.4 Fund Balance Policy – General, Special Revenue and Internal Service Funds
FUND BALANCE POLICIES

A. General Fund

The General Fund fund balance target level for the classifications listed below is 35 percent to 50 percent of the following year’s adopted general fund budget. The minimum level of the General Fund fund balance to be maintained is 20 percent of the following year’s adopted general fund budget. Fund balance of the Internal Service Fund shall be included in the target level calculations for the General Fund.

1. The General Fund fund balance shall be committed for the following purposes and in the amounts described below:

   a) To provide for emergencies or contingencies that the City may encounter as part of its operations. The emergency commitment is available to address one-time operational emergencies such as natural disasters or unforeseen catastrophic events, unexpected revenue reductions such as federal or state aid cuts and/or unanticipated expenditure requirements occurring within a fiscal year. This commitment shall be set at two and one-half percent (2.5 percent) of the following year’s adopted general fund budget.

   b) To cover one-half of the accumulated vacation balances and that portion of sick leave that would be payable under the City’s severance pay policy. This amount shall be adjusted annually as part of the year end close and annual financial report process.

2. The unassigned fund balance of the General Fund for cash flow timing shall be set at thirty percent (30%) of the following year’s adopted General Fund budget including transfers.

3. When resources are available for classification, funds shall be classified first for emergencies/contingencies, second for compensated absences, third for budget carryovers or committed contracts and lastly for unassigned fund balance cash flow needs.

4. Shortages from the requirements of this policy shall be built up through the budget process. Funds shall be budgeted as emergency reserves and then not spent in the following year. Shortage shall be defined as having less than the minimum policy requirement at the prior year-end. Or having a projection at budget time that would indicate the policy will not be met at the current year-end. Shortages of less than two percent (2 percent) of the policy requirement shall be made up in one year. Shortages of more than two percent (2 percent) shall be made up by a minimum of two percent per year.

5. Overage from the requirements shall be used in one of the following ways. First, any excess may be used to reduce the property tax levy required for the following year. Second, the excess may be transferred to other funds as designated by the Council.
Overages under this policy are actual unassigned fund balance dollars on the last available year end financial statement of the City less the targeted amount for cash flow needs.

B. Special Revenue Funds

The special revenue fund specific purposes for which they are restricted or committed are as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Specific Revenue Sources</th>
<th>Committed For</th>
<th>Restricted For</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Fee</td>
<td>Administrative fee charged to local improvement/construction projects</td>
<td>Administrative Costs, Engineering Costs, Comprehensive Studies, Mapping Costs, Assessment Proceedings</td>
<td></td>
</tr>
<tr>
<td>Public Safety Training Center</td>
<td>Property Tax Levy</td>
<td>Construction Contribution, Operational and Maintenance Cost Participation</td>
<td></td>
</tr>
<tr>
<td>Public Safety Activities</td>
<td>Forfeited Cash &amp; Property, Special Weapons And Tactics (SWAT) fees, Juvenile Programs/Crime Prevention Proceeds (DARE/Peer COR), Intergovernmental Grants, East Suburban Chaplaincy Corp fees, Police Explorers, Equitable Sharing Forfeiture proceed (Department of Justice &amp; US Treasury)</td>
<td>SWAT program expenditures, Juvenile and Crime Prevention Programs, Chaplaincy program expenditures, Police Explorers program expenditures</td>
<td>Law enforcement programs and activities per MS 609.5315, DARE program expenditures, Grant Programs, Law enforcement purposes in accordance with the statutes and guidelines that govern the Department of Justice and the Department of the Treasury Equitable Sharing Programs</td>
</tr>
<tr>
<td>Fund</td>
<td>Specific Revenue Sources</td>
<td>Committed For</td>
<td>Restricted For</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>----------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Fire Relief Pension</td>
<td>Fire State Aid</td>
<td>Required municipal contribution to the WFBA pension plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Property Tax Levy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Medical Services</td>
<td>Net Run Revenue, Property Tax Levy and Other Revenues</td>
<td>Emergency Medical Service Expenditures</td>
<td></td>
</tr>
<tr>
<td>HealthEast Sponsorship</td>
<td>HealthEast Naming Rights Fees/Sponsorship</td>
<td>Resources to support investment in recreational and health-orientated activities</td>
<td></td>
</tr>
<tr>
<td>Housing and Urban Development (HUD)</td>
<td>HOME and CDBG grants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic Development Authority (EDA)</td>
<td>Revolving Loan Payments</td>
<td>Activities to promote economic development</td>
<td></td>
</tr>
<tr>
<td>Housing and Redevelopment Authority (HRA)</td>
<td>HRA Property Tax Levy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawful Gambling Contribution</td>
<td>Percentage of net profits from licensed gambling organizations holding premise permits within the City.</td>
<td>Same statutorily defined charitable purposes as gambling organizations. City Council Directive CD-FIN-5.13 includes a detailed listed of eligible uses.</td>
<td></td>
</tr>
</tbody>
</table>

The foundational revenue source and commitment and restriction of those sources is stated above and it is known there will be other residual revenue streams, and it is the intention that these funds be committed or restricted for the same purpose specified for that special revenue fund.

C. **Internal Service Fund – Risk Management**

The City shall maintain a minimum fund balance of 25% of the following year’s adopted Risk Management Fund expense budget. The reserves may be used for insurance cash flow purposes,
deductible costs in excess of the budget, workers compensation retrospective adjustments, or to meet unexpected increases in insurance premium costs. The reserves shall also be considered when evaluating large deductible programs and/or self-insuring part of the City’s insurance coverage.

If reserves reach $2.0 million per the audited financial statements, 50% of the dividends, workers compensation retrospective adjustments and investment earnings will be redirected to the General Fund. If losses or expenses in excess of budget reduce the reserves below the minimum requirement, the 50% redirection requirement will be rescinded until the reserve amount again reaches $2.0 million and, if necessary, shortages from this requirement of the policy shall be built up through the budget process. Funds shall be budgeted as emergency reserves and not spent in the ensuing year. Establishment of such reserves shall not be construed to waive the limits of the City liability as established by Minnesota Statutes Chapter 466.

GLOSSARY

Fund balance may be displayed in the following classifications depicting the relative strength of the spending constraints placed on the purposes for which resources can be used:

- **Nonspendable fund balance** – consists of amounts that are not in spendable form, such as prepaid items.
- **Restricted fund balance** – consists of amounts related to externally imposed constraints established by creditors, bondholders or grantors; or constraints imposed by state statutory provisions.
- **Committed fund balance** – consists of internally imposed constraints. These constraints are established by Resolution of the City Council.
- **Assigned fund balance** – consists of internally imposed constraints. These constraints reflect the specific purpose for which it is the City’s intended purpose. These constraints are established by the City Council and/or management. Pursuant to the Fund Balance Policy, the Finance Director and/or the City Administrator are authorized to establish assignments of fund balance.
- **Unassigned fund balance** – amounts available for any purpose; these amounts are reported only in the general fund or funds with a negative residual amount.

Adopted by the Woodbury City Council on July 18, 2007 – Resolution No. 07-156
Revised by the Woodbury City Council on January 12, 2011 – Resolution No. 11-182
Revised by the Woodbury City Council on November 18, 2015 – Resolution No. 15-187
Revised by the Woodbury City Council on July 11, 2018 – Resolution No. 18-111
Revised by the Woodbury City Council on August 14, 2019 – Resolution No. 19-128
Revised by the Woodbury City Council on February 23, 2022 – Resolution No. 22-___
PURPOSE

The City of Woodbury understands it has a responsibility to maintain prudent financial operations to ensure stable city operations for the benefit of city residents and businesses. Fund balance reserves are an important component in ensuring the overall financial health of a community by giving the City the ability to meet contingency needs; avoid short-term borrowing from other city funds; and address cash-flow timing needs. The Office of the State Auditor recommends that at year-end and/or at other key times of the year, local governments that rely significantly on property taxes maintain an unrestricted fund balance of approximately 35 to 50% of fund operating revenues or no less than five months of operating expenditures in the general fund and special revenue funds. While bond rating agencies do not have recommended fund balance levels, the agencies look favorably on larger fund balances, which protect against contingencies and cash flow needs. The fund balance levels impact the bond rating the City receives and our resultant interest rates.

POLICY CONSIDERATIONS

A. Fund balance is the difference between assets and liabilities.

B. The classifications established through this policy shall be used in classifying funds for year-end financial statement purposes.

C. The City Administrator and Finance Director, as part of the annual budget process, shall prepare an analysis of this policy. The analysis should include the prior year actual status of this policy and project the status for the current year. The Finance Director shall, as part of the annual audit and financial statement preparation process, see that the classifications are made as required by this policy.

D. The City Council authorizes the Finance Director and/or the City Administrator to assign fund balance for all City funds that reflects the intended use of those funds. When both restricted and unrestricted resources are available for use, it is the City’s policy to first use restricted resources, and then use unrestricted resources, as they are needed. When unrestricted resources are available for use, it is the City’s policy to use resources in the following order: 1) committed 2) assigned 3) unassigned.
FUND BALANCE POLICIES

A. General Fund

The General Fund fund balance target level for the classifications listed below is 35 percent to 50 percent of the following year’s adopted general fund budget. The minimum level of the General Fund fund balance to be maintained is 20 percent of the following year’s adopted general fund budget. Fund balance of the Internal Service Fund shall be included in the target level calculations for the General Fund.

1. The General Fund fund balance shall be committed for the following purposes and in the amounts described below:

   a) To provide for emergencies or contingencies that the City may encounter as part of its operations. The emergency commitment is available to address one-time operational emergencies such as natural disasters or unforeseen catastrophic events, unexpected revenue reductions such as federal or state aid cuts and/or unanticipated expenditure requirements occurring within a fiscal year. This commitment shall be set at two and one-half percent (2.5 percent) of the following year’s adopted general fund budget.

   b) To cover one-half of the accumulated vacation balances and that portion of sick leave that would be payable under the City’s severance pay policy. This amount shall be adjusted annually as part of the year end close and annual financial report process.

2. The unassigned fund balance of the General Fund for cash flow timing shall be set at thirty percent (30%) of the following year’s adopted General Fund budget including transfers.

3. When resources are available for classification, funds shall be classified first for emergencies/contingencies, second for compensated absences, third for budget carryovers or committed contracts and lastly for unassigned fund balance cash flow needs.

4. Shortages from the requirements of this policy shall be built up through the budget process. Funds shall be budgeted as emergency reserves and then not spent in the following year. Shortage shall be defined as having less than the minimum policy requirement at the prior year-end. Or having a projection at budget time that would indicate the policy will not be met at the current year-end. Shortages of less than two percent (2 percent) of the policy requirement shall be made up in one year. Shortages of more than two percent (2 percent) shall be made up by a minimum of two percent per year.

5. Overages from the requirements shall be used in one of the following ways. First, any excess may be used to reduce the property tax levy required for the following year. Second, the excess may be transferred to other funds as designated by the Council.
Overages under this policy are actual unassigned fund balance dollars on the last available year end financial statement of the City less the targeted amount for cash flow needs.

B. Special Revenue Funds

The special revenue fund specific purposes for which they are restricted or committed are as follows:

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<tbody>
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<td>Administrative fee charged to local improvement/construction projects</td>
<td>Administrative Costs</td>
<td>SWAT program expenditures</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Engineering Costs</td>
<td>DARE program expenditures</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Comprehensive Studies</td>
<td>Grant Programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mapping Costs</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assessment Proceedings</td>
<td></td>
</tr>
<tr>
<td>Public Safety Training</td>
<td>Property Tax Levy</td>
<td>Construction Contribution</td>
<td>Law enforcement purposes in accordance with the statutes and guidelines that govern the Department of Justice and the Department of the Treasury Equitable Sharing Programs</td>
</tr>
<tr>
<td>Center</td>
<td></td>
<td>Operational and Maintenance Cost Participation</td>
<td></td>
</tr>
<tr>
<td>Public Safety Activities</td>
<td>Forfeited Cash &amp; Property</td>
<td>SWAT program expenditures</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Special Weapons And Tactics(SWAT) fees</td>
<td>Juvenile and Crime Prevention Programs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Juvenile Programs/Crime Prevention Proceeds(DARE/Peer COR)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Intergovernmental Grants</td>
<td>Chaplaincy program expenditures</td>
<td></td>
</tr>
<tr>
<td></td>
<td>East Suburban Chaplaincy Corp fees</td>
<td>Police Explorers program expenditures</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Police Explorers</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Equitable Sharing Forfeiture proceeds(Department of Justice &amp; US Treasury)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Specific Revenue Sources, Committed For, Restricted For

<table>
<thead>
<tr>
<th>Fund</th>
<th>Specific Revenue Sources</th>
<th>Committed For</th>
<th>Restricted For</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Relief Pension</td>
<td>Fire State Aid</td>
<td>Required municipal contribution to the WFBA pension plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Property Tax Levy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Medical Services</td>
<td>Net Run Revenue, Property Tax Levy and Other Revenues</td>
<td>Emergency Medical Service Expenditures</td>
<td></td>
</tr>
<tr>
<td>HealthEast Sponsorship</td>
<td>HealthEast Naming Rights Fees/Sponsorship</td>
<td>Resources to support investment in recreational and health-orientated activities</td>
<td></td>
</tr>
<tr>
<td>Housing and Urban Development (HUD)</td>
<td>HOME and CDBG grants</td>
<td></td>
<td>HOME and CDBG grant programs</td>
</tr>
<tr>
<td>Economic Development Authority (EDA)</td>
<td>Revolving Loan Payments</td>
<td>Activities to promote economic development</td>
<td></td>
</tr>
<tr>
<td>Housing and Redevelopment Authority (HRA)</td>
<td>HRA Property Tax Levy</td>
<td></td>
<td>Redevelopment projects authorized under MS 469.001 to 469.047</td>
</tr>
<tr>
<td>Lawful Gambling Contribution</td>
<td>Percentage of net profits from licensed gambling organizations holding premise permits within the City.</td>
<td>Same statutorily defined charitable purposes as gambling organizations. City Council Directive CD-FIN-5.13 includes a detailed listed of eligible uses.</td>
<td></td>
</tr>
</tbody>
</table>

The foundational revenue source and commitment and restriction of those sources is stated above and it is known there will be other residual revenue streams, and it is the intention that these funds be committed or restricted for the same purpose specified for that special revenue fund.

### C. Internal Service Fund – Risk Management

The City shall maintain a minimum fund balance of 25% of the following year’s adopted Risk Management Fund expense budget. The reserves may be used for insurance cash flow purposes,

*CD-FIN-5.4 Fund Balance Policy – General, Special Revenue and Internal Service Funds*
deductible costs in excess of the budget, workers compensation retrospective adjustments, or to meet unexpected increases in insurance premium costs. The reserves shall also be considered when evaluating large deductible programs and/or self-insuring part of the City’s insurance coverage.

If reserves reach $2.0 million per the audited financial statements, 50% of the dividends, workers compensation retrospective adjustments and investment earnings will be redirected to the General Fund. If losses or expenses in excess of budget reduce the reserves below the minimum requirement, the 50% redirection requirement will be rescinded until the reserve amount again reaches $2.0 million and, if necessary, shortages from this requirement of the policy shall be built up through the budget process. Funds shall be budgeted as emergency reserves and not spent in the ensuing year. Establishment of such reserves shall not be construed to waive the limits of the City liability as established by Minnesota Statutes Chapter 466.

GLOSSARY

Fund balance may be displayed in the following classifications depicting the relative strength of the spending constraints placed on the purposes for which resources can be used:

- **Nonspendable fund balance** – consists of amounts that are not in spendable form, such as prepaid items.
- **Restricted fund balance** – consists of amounts related to externally imposed constraints established by creditors, bondholders or grantors; or constraints imposed by state statutory provisions.
- **Committed fund balance** – consists of internally imposed constraints. These constraints are established by Resolution of the City Council.
- **Assigned fund balance** – consists of internally imposed constraints. These constraints reflect the specific purpose for which it is the City’s intended purpose. These constraints are established by the City Council and/or management. Pursuant to the Fund Balance Policy, the Finance Director and/or the City Administrator are authorized to establish assignments of fund balance.
- **Unassigned fund balance** – amounts available for any purpose; these amounts are reported only in the general fund or funds with a negative residual amount.

Adopted by the Woodbury City Council on July 18, 2007 – Resolution No. 07-156
Revised by the Woodbury City Council on January 12, 2011 – Resolution No. 11-182
Revised by the Woodbury City Council on November 18, 2015 – Resolution No. 15-187
Revised by the Woodbury City Council on July 11, 2018 – Resolution No. 18-111
Revised by the Woodbury City Council on August 14, 2019 – Resolution No. 19-128
Revised by the Woodbury City Council on February 23, 2022 – Resolution No. 22-___
Purpose

The purpose of this policy is to provide guidelines for the management of the Lawful Gambling Contribution Fund ("City Fund") as established in Woodbury City Code Chapter 11 - Licenses, Permits and Miscellaneous Business Regulations, Article IX - Lawful Gambling.

Procedure

The City Fund will be funded by contributions from licensed gambling organizations holding premise permits within the City and who are required by City Code to contribute a percentage of net profits, defined as gross profits less allowable expenses and amounts paid in taxes, to the City Fund.

Beginning January 1, 2022, organizations will be required to contribute 5% of net profits derived from each site with the City to the City Fund. After one year, beginning in January 2023 the amount will increase to 10% of net profits from each site within the City and will remain at 10% in perpetuity.

A. Organization Requirements

- Submit the required contribution via check along with the City of Woodbury Lawful Gambling Contribution Fund form to the City Clerk within 30 days of the end of each quarter of the year.

- Submit a copy of each site’s LG100A (Minnesota Gambling Control Form), which shows each site’s net profit, to the City Clerk within ten (10) days after submission of the same to the state.

B. City Requirements

- The City Clerk, on a monthly basis, will receive required forms.

- The City Clerk, on a quarterly basis, will receive the organization’s required contribution via check.

- The City Clerk and Finance Department together will ensure each contribution’s accuracy.

- By March 15 each year, the Finance Department must submit to the Gambling Control Board the amount collected by the City, details regarding disbursements, and the City Fund’s balance.

- Decide how to use City Fund dollars at the time of adoption or amendment of the City’s budget.
C. Use of Lawful Gambling Contributions

The City may use funds for the same statutorily defined charitable purposes as gambling organizations, listed below (except the City may not contribute to an organization that contributes to the City Fund):

<table>
<thead>
<tr>
<th>State Codes for Lawful Purpose Expenditure Reporting</th>
<th>List of Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>To a 501©(3) organization provided that the City does not retain control of these funds</td>
</tr>
<tr>
<td>A2</td>
<td>To relieve the effects of poverty, homelessness, or disability (for example a homeless shelter)</td>
</tr>
<tr>
<td>A3</td>
<td>To a program for the education, prevention, or treatment of problem gambling</td>
</tr>
<tr>
<td>A4</td>
<td>To a public or private nonprofit school</td>
</tr>
<tr>
<td>A5</td>
<td>To a scholarship fund</td>
</tr>
<tr>
<td>A6</td>
<td>For recognition of military service (free and open to the public) or support for active military personnel and their immediate family members in need,**</td>
</tr>
<tr>
<td>A7</td>
<td>For activities and facilities for youth under age 21**</td>
</tr>
<tr>
<td>A10</td>
<td>Expenditures for police, fire and other emergency or public safety-related services, equipment, and training. Not allowed: Contribution to pension or retirement fund,*</td>
</tr>
<tr>
<td>A11</td>
<td>To a church</td>
</tr>
<tr>
<td>A12</td>
<td>With Minnesota Pollution Control Agency (MPCA) approval, for citizen monitoring of surface water quality by individuals (requires submitting data to the MPCA).</td>
</tr>
<tr>
<td>A13</td>
<td>With Minnesota Department of Natural Resources (DNR) approval, for wildlife management projects or activities that benefit the public-at-large; grooming or maintaining snowmobile or ATV trails, or other trails open to public use; supplies and materials for DNR-coordinated safety training and education programs.</td>
</tr>
<tr>
<td>A14</td>
<td>For nutritional programs, food shelves, and congregate dining programs primarily for persons age 62 or older or disabled.</td>
</tr>
<tr>
<td>A15</td>
<td>For community arts organizations, or sponsorship of community arts programs that are free and open to the public.</td>
</tr>
<tr>
<td>A19</td>
<td>For humanitarian service, recognizing volunteerism or philanthropy</td>
</tr>
</tbody>
</table>

* The City may not transfer funds to other city accounts (e.g., its own parks and recreation department, or police or fire department) but may, however, purchase equipment and pay for services to train police, fire, or other public safety-related services. Payment must be made directly to the vendor. For example, the City can purchase a fire truck using City Fund dollars for use by the fire department. Other examples include purchasing a police car, playground equipment, or training courses for police and firefighters.
If the City contracts out for law enforcement services or other emergency services, it may spend the lawful gambling funds for those services (excluding pension obligations). The check must be written directly to the outside entity providing those law enforcement services.

** The City may not donate funds to its parks and recreation department, but it can donate the funds for playground equipment with a city park (allowed under activities and facilities for youth under age 21), or for construction or maintenance of a veteran's memorial within a city park (recognition of military service). The checks must be written directly to the vendor. (Playground equipment and veteran's memorials need not be located in a city park).

Approved by the City Council:

August 11, 2021 – Resolution 21-142
Council Letter 22-56

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Creation and Classification of an Assistant Fleet Services Manager Position, Appointment of Kenneth Wagner to the Assistant Fleet Services Manager Position

Summary

City of Woodbury staff continues to accomplish review and analysis of the City departments for personnel succession and long-term planning purposes. Due to a staff resignation of the Fleet Specialist and increasing staffing needs, a thorough review has been accomplished of the Public Works Department Fleet Services Division staffing. As a result, a recommended position and appointment are being recommended as a step toward transitioning toward the City’s long-term organizational vision.

Recommendation

Staff recommends Council adopt the attached resolution approving the creation and classification of an Assistant Fleet Services Manager position and appointment of Kenneth Wagner to the Assistant Fleet Services Manager position effective February 28, 2022.

Fiscal Implications

A long-tenured employee retired from the Fleet Specialist position in 2021. The increased classification of the Assistant Fleet Services Manager can be accommodated through the cost-savings of the new Fleet Specialist hire.

The resulting vacant Public Service Worker Fleet Technician position is a part of the 2022 General Fund-Fleet Services Division Budget and will not be filled; the proposed changes can be accommodated as a part of the 2022 Budget without any budget adjustments.

Policy

City Code Chapter 2 Administration, Article IV – Departments, Divisions, Etc.
Public Process

The Council meeting will be the first public process for this item.

Background

The Fleet Specialist position was vacated in 2021 and several changes are being proposed:

1. Create an Assistant Fleet Services Manager position to be placed in Grade 8 of the Woodbury Classification Plan.

2. Promote Public Service Worker – Fleet Technician Leadworker Kenneth Wagner to the Assistant Fleet Services Manager position effective February 28, 2022.

3. The Fleet Specialist position will be replaced with a new employee.

4. The vacated Public Service Worker Fleet Technician position will not be replaced.

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

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Creation and Classification of an Assistant Fleet Services Manager
Position, Appointment of Kenneth Wagner to the Assistant Fleet Services Manager
Position Effective February 28, 2022

WHEREAS, City of Woodbury staff continues to accomplish review and analysis
of the City departments for personnel succession and long-term planning purposes; and

WHEREAS, due to a staff resignation and increasing staffing needs, a thorough
review has been accomplished of the Public Works Department Fleet Services Division staffing.
As a result, a change is being recommended as a step toward transitioning toward the City’s
long-term organizational vision.

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

1. Create one Assistant Fleet Services Manager position, place the position in Grade
   8 of the Woodbury Classification Plan.

2. Appoint Public Service Worker – Fleet Technician Leadworker Kenneth Wagner
to the position of Assistant Fleet Services Manager effective February 28, 2022.

3. This appointment is subject to all applicable provisions of Chapter 2, Article V of
   the City Code.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator this 23\textsuperscript{rd} day of February, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-57

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of Tobacco Sales License for Giza, Inc. dba Moon Soon Tobacco; 6671 Valley Creek Road, Suite 200

Summary

Giza, Inc. dba Moon Soon Tobacco has submitted an application for a new Tobacco Sales License for their new store to be located at 6671 Valley Creek Road, Suite 200.

Recommendation

Staff recommends Council approve issuing a Tobacco Sales License to Giza, Inc. dba Moon Soon Tobacco for their location at 6671 Valley Creek Road, Suite 200.

Fiscal Implications

Tobacco Sales License Fee $ 300.00
Background Investigation Fee $ 250.00

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

Giza, Inc. dba Moon Soon Tobacco has submitted an application for a new Tobacco Sales License for their store to be located at 6671 Valley Creek Road, Suite 200.

The sole owner, and president of Giza, Inc. is Ramadan Hussein. A criminal history check as it pertains to tobacco sales was conducted on Ramadan Hussein 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
Council Letter 22-58

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of Liquor License Renewals; License Year April 1, 2022 through March 31, 2023

Summary

Liquor licenses issued by the City of Woodbury expire on March 31, 2022. The businesses on the attached list have supplied staff with all necessary renewal licensing documents. There will be additional liquor license renewals to be approved by the Council on March 16, 2022.

Recommendation

Staff recommends Council renew the liquor licenses of the businesses on the attached list for the period of April 1, 2022 through March 31, 2023.

Fiscal Implications

Liquor license renewal fees total $300,450.

Policy

Woodbury City Code Chapter 4 – Alcoholic Beverages

Public Process

This is the first public process for this item.

Background

Not applicable.

Written By: Kimberlee K. Blaeser
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: List of Liquor Establishments
<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>Trade Name</th>
<th>Address</th>
<th>License Type</th>
<th>Patio</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Kwik Trip, Inc.</td>
<td>Kwik Trip #407</td>
<td>10100 Hudson Road</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>2. Kwik Trip, Inc.</td>
<td>Kwik Trip #408</td>
<td>8477 City Centre Drive</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>3. Diamond Lake 1994 LLC</td>
<td>Cub Foods</td>
<td>8432 Tamarack Village</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>4. Northern Tier Retail LLC</td>
<td>Speedway #4204</td>
<td>1551 Woodlane Drive</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>5. Northern Tier Retail LLC</td>
<td>Speedway #4215</td>
<td>4104 Radio Drive</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>6. Northern Tier Retail LLC</td>
<td>Speedway #4518</td>
<td>9910 Norma Lane</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>7. Northern Tier Retail LLC</td>
<td>Speedway #4526</td>
<td>6401 Lake Road Terrace</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>8. Linn Retail Centers, Inc.</td>
<td>Woodbury Holiday #3828</td>
<td>1569 Woodlane Drive</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>9. Kowalski’s Woodbury Market, Inc.</td>
<td>Kowalski’s Woodbury Market</td>
<td>8505 Valley Creek Road, Suite 100</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>10. Walmart Inc.</td>
<td>Walmart #2643</td>
<td>10240 Hudson Road</td>
<td>Off Sale 3.2% Malt</td>
<td>No</td>
<td>$100.00</td>
</tr>
<tr>
<td>11. Sam’s West, Inc.</td>
<td>Sam’s Club #6312</td>
<td>9925 Hudson Road</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>13. Trader Joe’s East, Inc.</td>
<td>Trader Joe’s #715</td>
<td>8960 Hudson Road, #801</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>14. Haskell’s Inc.</td>
<td>Haskell’s</td>
<td>6445 Lake Road Terrace</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>15. JE Woodbury Liquor 2014 LLC</td>
<td>Jerry’s Wine &amp; Spirits</td>
<td>7754 Hargis Parkway</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>16. Lund Food Holdings Inc.</td>
<td>Lunds &amp; Byerlys Wines &amp; Spirits Woodib</td>
<td>7050 Valley Creek Road</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>17. Yarin Gadol LLC</td>
<td>Top Ten Liquors</td>
<td>9887 Norma Lane, Suite 104</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>18. Minnesota Fine Wines &amp; Spirits LLC</td>
<td>Total Wine &amp; More</td>
<td>7150 Valley Creek Plaza</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>19. Kowalski’s Woodbury Market Inc</td>
<td>Kowalski’s Woodbury Market</td>
<td>8505 Valley Creek Road</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>20. Whole Foods Market Group, Inc.</td>
<td>Whole Foods Market</td>
<td>305 Radio Drive, Suite 100</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>21. Target Corporation</td>
<td>Target Store T-2406</td>
<td>449 Commerce Drive</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>22. Costco Wholesale Corporation</td>
<td>Costco Wholesale #1272</td>
<td>7070 Tamarack Road</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>23. Cub Stores Holdings, LLC</td>
<td>Cub Wine &amp; Spirits</td>
<td>8452 Tamarack Village</td>
<td>Off Sale</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>24. McDonough’s Carbones, Inc.</td>
<td>Carbones</td>
<td>2070 Eagle Creek Lane</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>25. Davanni’s Inc.</td>
<td>Davanni’s Pizza &amp; Hot Hoagies</td>
<td>1905 Donegal Drive</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>26. Whole Foods Market Group, Inc.</td>
<td>Whole Foods Market</td>
<td>305 Radio Drive</td>
<td>On Sale Wine and Beer</td>
<td>Yes</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>27. India Palace Woodbury, Inc.</td>
<td>India Palace</td>
<td>8362 Tamarack Village #120</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>28. Civitalli Restaurant Corporation</td>
<td>Punch Neapolitan Pizza</td>
<td>8310 City Centre Drive</td>
<td>On Sale Wine and Beer</td>
<td>Yes</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>29. Classic Café’s Inc.</td>
<td>Key’s Café &amp; Bakery</td>
<td>1750 Weir Drive</td>
<td>On Sale Wine and Beer</td>
<td>Yes</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>30. Pei Wei Asian Diner, LLC</td>
<td>Pei Wei Asian Diner</td>
<td>8300 Tamarack Village, #102</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>31. Bay, Inc.</td>
<td>Yangs Chinese Restaurant</td>
<td>1568 Woodlane Drive</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>32. Portillo’s Hot Dogs LLC</td>
<td>Portillo’s Hot Dogs</td>
<td>8450 Hudson Road</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>33. S6 Enterprises, LLC</td>
<td>Red’s Savoy Pizza Woodbury</td>
<td>1575 Queens Drive #202</td>
<td>On Sale Wine and Beer</td>
<td>No</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>34. Apple Minnesota, LLC</td>
<td>Applebee’s Neighborhood Grill &amp; Ba</td>
<td>7250 Valley Creek Road</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>35. Acapulco of Woodbury, Inc.</td>
<td>Acapulco Mexican Restaurant</td>
<td>1795 Radio Drive, Suite A</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
</tbody>
</table>
## List of Businesses Requesting Liquor License Renewal for 2022-2023
Approval by City Council on February 23, 2022

<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>Trade Name</th>
<th>Address</th>
<th>License Type</th>
<th>Patio</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>36 Carmine’s of MN, Inc.</td>
<td>Carmine’s Restaurant &amp; Bar</td>
<td>9900 Valley Creek Road, Ste 175</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>37 City of Woodbury</td>
<td>Eagle Valley Golf Course</td>
<td>2600 Double Eagle Lane</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>38 Ray J’s Woodbury Inc.</td>
<td>Ray J’s American Grill</td>
<td>9854 Norma Lane</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>39 River Shore Hospitality LLC</td>
<td>Green Mill Restaurant &amp; Bar</td>
<td>6025 Hudson Road</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>40 Crave Restaurant Woodbury LLC</td>
<td>Crave</td>
<td>9100 Hudson Road, Ste 108</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>41 O’Malley’s Pub LLC</td>
<td>O’Malley’s Lucky Irish Pub</td>
<td>1775 Radio Drive, Suite A</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>42 Woodbury Grill LLC</td>
<td>Wild Bill’s Sport Saloon</td>
<td>546 Commons Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>43 La Mia Gioia LLC</td>
<td>Angelina’s Kitchen</td>
<td>2170 Eagle Creek Lane, Ste H</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>44 HRP Woodbury II LLC</td>
<td>Tavern Grill Restaurant &amp; Bar</td>
<td>772 Bielenberg Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>45 Brinker Restaurant Corporation</td>
<td>Chili’s Grill &amp; Bar</td>
<td>9945 Hudson Place</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>46 Osaka Woodbury Inc.</td>
<td>Osaka</td>
<td>9000 Hudson Road, Suite 622</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>47 Ameen Restaurants, Inc.</td>
<td>Cravings Wine Bar &amp; Grille</td>
<td>755 Bielenberg Drive, Suite 108</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>48 Los Machetes, Inc.</td>
<td>Machete</td>
<td>803 Bielenberg Drive, Suite 108</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>49 Hotel Woodbury Opco, LLC</td>
<td>Sheraton Woodbury</td>
<td>676 Bielenberg Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>50 One Lodging Management LLC</td>
<td>Courtyard Woodbury</td>
<td>185 Radio Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>51 Craft Beer Hall and Kitchen, LLC</td>
<td>Tamarack Taproom</td>
<td>8418 Tamarack Village</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>52 Texas Roadhouse Holdings LLC</td>
<td>Texas Roadhouse</td>
<td>209 Radio Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>53 Andiamo Woodbury LLC</td>
<td>Andiamo Italian Ristorante</td>
<td>1750 Weir Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>54 Sushi 888 Inc.</td>
<td>Akita Sushi</td>
<td>779 Bielenberg Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>55 Pezzo Per Pezzo Woodbury LLC</td>
<td>Pizzeria Pezzo</td>
<td>8505 Valley Creek Road, Suite 200</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>56 Birdi Golf, Inc.</td>
<td>Birdi Golf</td>
<td>1750 Weir Drive, Suite 11</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>57 Prestwick Restaurant, LLC</td>
<td>The ‘Wick Pub &amp; Grill</td>
<td>9555 Wedgewood Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>58 Cowboy Dave’s Woodbury, LLC</td>
<td>Cowboy Dave’s</td>
<td>1690 Woodland Drive</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>59 WJB Holdings, LLC</td>
<td>X-Golf Woodbury</td>
<td>8150 Coller Way, Suite 500</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>No</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>60 Donovan Ventures LLC</td>
<td>Cilantro Restaurant</td>
<td>10150 Hudson Road, Suite 122</td>
<td>On Sale Intoxicating incl. Sunday Sales</td>
<td>Yes</td>
<td>$10,200.00</td>
</tr>
<tr>
<td>61 3rd Act Brewery, LLC</td>
<td>3rd Act Brewery</td>
<td>4120 Radio Drive</td>
<td>On Sale Brewer’s Taproom incl. Sunday Sales</td>
<td>Yes</td>
<td>$600.00</td>
</tr>
<tr>
<td>62 3rd Act Brewery, LLC</td>
<td>3rd Act Brewery</td>
<td>4120 Radio Drive</td>
<td>Brewer Off Sale Malt Liquor</td>
<td>No</td>
<td>$200.00</td>
</tr>
<tr>
<td>63 3rd Act Brewery, LLC</td>
<td>3rd Act Brewery</td>
<td>4120 Radio Drive</td>
<td>Sunday Growler Mal Liquor</td>
<td>No</td>
<td>$50.00</td>
</tr>
<tr>
<td>64 Bella Bleu Designs, LLC</td>
<td>Board and Brush-Woodbury</td>
<td>2230 Eagle Creek Lane, Suite F</td>
<td>Consumption and Display</td>
<td>No</td>
<td>$300.00</td>
</tr>
<tr>
<td>65 Ronallys, Inc.</td>
<td>Ronallys Pizza</td>
<td>1560 Woodlane Drive</td>
<td>Consumption and Display</td>
<td>No</td>
<td>$300.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$300,450.00</td>
</tr>
</tbody>
</table>
Council Letter 22-59

February 23, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of Tobacco Sales License Renewals; License Year April 1, 2022 through March 31, 2023

Summary

Tobacco licenses issued by the City of Woodbury expire on March 31, 2022. The businesses on the attached list have supplied staff with all necessary renewal licensing documents and fees. There will be additional tobacco sales license renewals to be approved by the Council on March 16, 2022.

Recommendation

Staff recommends Council renew the tobacco sales license of the businesses on the attached list for the period of April 1, 2022 through March 31, 2023.

Fiscal Implications

25 Tobacco License Renewals $7,500

Policy

Woodbury City Code Chapter 11 – Licenses, permits and miscellaneous business regulations, Article II – Tobacco Sales.

Public Process

This is the first public process for this item.

Background

Not applicable.

Written By: Kimberlee K. Blaeser
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: List of Tobacco Sales Establishments
List of Businesses Requesting Tobacco Sales License Renewal for 2022-2023
Approval by City Council on February 23, 2022

<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>Trade Name</th>
<th>Address</th>
<th>License Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Linn Retail Centers, Inc.</td>
<td>Woodbury Holiday #3828</td>
<td>1569 Woodlane Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>2 WalMart Stores, Inc.</td>
<td>Walmart #2643</td>
<td>10240 Hudson Road</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>3 Kwik Trip, Inc.</td>
<td>Kwik Trip #407</td>
<td>10100 Hudson Road</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>4 Kwik Trip, Inc.</td>
<td>Kwik Trip #408</td>
<td>8477 City Centre Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>5 Northern Tier Retail LLC</td>
<td>Speedway #4518</td>
<td>9910 Norma Lane</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>6 Northern Tier Retail LLC</td>
<td>Speedway #4526</td>
<td>6401 Lake Road Terrace</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>7 Northern Tier Retail LLC</td>
<td>Speedway #5008</td>
<td>4104 Radio Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>8 Northern Tier Retail LLC</td>
<td>Speedway #4204</td>
<td>1551 Woodlane Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>9 Diamond Lake 1994 LLC</td>
<td>Cub Foods Woodbury #31234</td>
<td>8432 Tamarack Village</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>10 Dahab Dollar Store, LLC</td>
<td>Dahab Dollar Storeet</td>
<td>1750 Weir Drive, Suite 7</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>11 Yayin Gadol, LLC</td>
<td>Top Ten Liquors</td>
<td>9887 Norma Lane, Suite 104</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>12 Fritz Ventures, Inc.</td>
<td>Seasons Market Holiday</td>
<td>757 Radio Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>13 Walgreen Co</td>
<td>Walgreens #10188</td>
<td>1615 Queens Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>14 Walgreen Co</td>
<td>Walgreens #6056</td>
<td>1965 Donegal Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>15 Minnesota Fine Wines and Spirits, LLC</td>
<td>Total Wine and More</td>
<td>7150 Valley Creek Plaza, Suite 21-</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>16 Maze Enterprises</td>
<td>Woodbury Shell</td>
<td>1511 Weir Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>17 Smokeless Smoking, Inc.</td>
<td>Smokeless Smoking</td>
<td>8470 City Centre Drive</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>18 Woodbury Tobacco and Cigar Depot, Inc.</td>
<td>Jerry's Wine &amp; Spirits</td>
<td>7060 Valley Creek Plaza, #115</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>19 JE Woodbury Liquor 2014 LLC</td>
<td>Jerry's Wine &amp; Spirits</td>
<td>7754 Hargis Parkway</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>20 Holiday Stationstores, Inc.</td>
<td>Elite Liquor</td>
<td>2030 Eagle Creek Lane</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>21 Elite Liquor, Inc.</td>
<td></td>
<td>8472 Tamarack Bay, Suite 200</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>22 Fog E-Cig Woodbury, Inc.</td>
<td></td>
<td>9891 Hudson Place, Suite 200</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>23 Preserved Company, LLC</td>
<td>Eagle Tobacco Cigars &amp; E-Cig Center</td>
<td>2230 Eagle Creek Lane, Suite E</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>24 Southgate Tobacco, Inc.</td>
<td></td>
<td>10150 Hudson Road, Suite 107</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>25 Cub Stores Holdings, LLC</td>
<td>Cub Wine &amp; Spirits</td>
<td>8452 Tamarack Village</td>
<td>Tobacco</td>
<td>$300.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$7,500.00</td>
</tr>
</tbody>
</table>
Neighborhood Meetings:

No Items Scheduled.

Preliminary Items Scheduled for the Planning Commission Meeting of February 28, 2022:

1. 2021 Community Development Annual Report
2. Amira Woodbury; Comprehensive Plan Amendment, Rezoning, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Project No 07-2021-00477
3. Watermark, Comprehensive Plan Amendment, Rezoning, Planned Unit Development, Conditional Use Permit, Site and Building Plan, Project No. 04-2021-00468

Preliminary Items Scheduled for the Council Workshop Meeting of March 23, 2022:

1. Tree Canopy / EAB
2. Roadway Rehabilitation Program

Preliminary Public Hearings Scheduled for March 16, 2022:

1. Review of Draft 2022 Annual Action Plan
2. Amira Woodbury; Comprehensive Plan Amendment, Rezoning, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Project No 07-2021-00477
3. Watermark, Comprehensive Plan Amendment, Rezoning, Planned Unit Development, Conditional Use Permit, Site and Building Plan, Project No. 04-2021-00468

Other Meetings:

1. Audit and Investment Commission, February 24, 7:30 a.m., Ash North and South Conference Rooms
2. Parks and Natural Resources Commission, March 1, 7 a.m., Ash North and South Conference Rooms

Respectfully submitted,

Clinton P. Gridley
City Administrator