

Minutes
Woodbury City Council
Wednesday, January 26, 2022

Pursuant to the due call and notice thereof, a regular meeting was duly held virtually and at the Woodbury City Hall, 8301 Valley Creek Road, on the 26th day of January 2022.

Call to Order

Mayor Anne Burt called the meeting to order at 7:00 p.m.

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

Pledge of the Flag

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

Roll Call

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

Others Present: Kimberlee K. Blaeser, City Clerk; Clinton Gridley, City Administrator; Karl Batalden, Housing and Economic Development Manager; Assistant Community Development Director/City Planner, Eric Searles and Pam Whitmore, City Attorney.

Special Order of Business

No items scheduled

Open Forum

The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects, which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting. Give the sign-up sheet to any staff person. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

Consent Agenda

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

Item A Approval of Council Minutes – January 12, 2022

Item B To adopt the following resolution

Resolution 22-22

Resolution of the City of Woodbury, Washington County, Minnesota approving the First Amendment to the 2021 HOME Subrecipient Agreement with the Dakota County Community Development Agency and a Memorandum of Understanding with the Washington County Community Development Agency Regarding the Use of HOME-ARP Funds in Washington County.

Item C To adopt the following ordinance

Ordinance 2014

Ordinance of the City of Woodbury, Washington County, Minnesota Staff recommends Council adopt ORDINANCE 2014, an ordinance of the City of Woodbury, Washington County, Minnesota, providing

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that the City Code be amended by amending Chapter 18.5, Signs, Article IV – Regulation of Signs – Division 1 - Generally, Section 18.5-45, Reader Board and Electronic Display Signs.

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

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

Item E To adopt a motion approving Bridlewood Farms 7th Addition, Final Plat, Project No. 28-2021-00470. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 22-27.

1. All conditions of Planned Unit Development and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements and ROW to match the street and utility plans being prepared by the City's consultant engineer.
3. The final street names shall be reviewed and approved by the Building Official.
4. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney's plat opinion.
5. Prior to the release of the Final Plat for recording, the Developer shall revise the landscaping plan to add additional landscaping adjacent to Ranch Road and the north plat boundary line. The revised plan shall increase the number of mature evergreen trees shown and shall be designed to screen the future homes from the existing properties to the north as approved by Planning staff.
6. Prior to the release of the Final Plat for recording, the City Engineer shall review and approve the final construction plans. The Developer shall privately construct and wholly fund all identified improvements.
7. Prior to the release of the Final Plat, the Developer shall submit revised plans to address the need for temporary cul-de-sacs along Martingale Drive and Stable View Drive. The design of all required temporary cul-de-sacs shall be approved, in writing, by the City Engineer.
8. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code. This includes participation for public infrastructure including storm sewer, water, sanitary sewer and transportation infrastructure.
9. Pursuant to the Bridlewood Farms 1st Addition Development Agreement, the Developer has agreed to fund improvements to Dale Road, Radio Drive and Bailey Road payable with each development phase. The Bridlewood Farms 7th Addition Development Agreement shall include an assessment for Dale Road and Radio Drive improvements consistent with the 1st Addition agreement.
10. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
11. Outlot A shall be deeded to the either the City of Woodbury or the adjacent property owner to the west. Final ownership entity shall be identified within the 7th Addition Development Agreement and transfer of the property, regardless of future ownership, shall occur without cost to the final landowner and shall be free of encumbrances.
12. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements shall be granted to the City at no cost or paid for by the Developer.
13. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.
14. The Developer shall deed all required outlots to the City free of encumbrances and at no cost. The Developer shall receive written approval that all obligations and conditions have been completed prior to dedicating any and all outlots. Any and all future tax obligations shall be paid by the Developer.
15. The Final Plat shall be recorded prior to issuance of a building permit.

Item F To adopt the following resolution

Resolution 22-23

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

Item G To adopt the following resolution

Resolution 22-24

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

Item H To adopt the following resolution

Resolution 22-25

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

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

Item J To adopt the following resolution

Resolution 22-26

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

Item K The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the mayor and City Administrator is hereby approved. Staff recommends approval of the abstract of bills for January 7, 2022 in the amount of \$1,063,519.51 and January 14, 2022 in the amount of \$1,457,209.10.

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

Voting via voice:

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

Public Hearings

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

Mayor Burt declared the public hearing open.

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

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

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

Mr. Searles stated the application was reviewed by the Planning Commission at their January 10, 2022 meeting, and unanimously recommended approval. The Commissioners raised questions about connections to Dale Road from the neighborhood.

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Mr. Searles stated City Staff recommends City Council approval of AirLake South Planned Unit Development (PUD), Conditional Use Permit, Preliminary Plat and Site and Building Plan, Project No. 35-2021-00445, subject to conditions.

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

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

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

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

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

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

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

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

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

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

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following Ordinance

Ordinance 2015

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

Voting via voice:

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

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

Voting via voice:

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

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Councilmember Morris moved, seconded by Councilmember Santini, to approve the AirLake South Planned Unit Development (PUD), Preliminary Plat and Site and Building Plan, Project No. 35-2021-00445, all subject to the conditions outlined in Council Letter 22-33.

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

Voting via voice:

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

B. Second Amendment to the 2021 Annual Action Plan

Mayor Burt declared the public hearing open.

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

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

Mr. Batalden stated City Staff recommends City Council approval of a Resolution amending the 2021 Annual Action Plan, increasing the budget for Shawnee Park rehabilitation to \$525,000 as identified in the adopted 2022 City budget.

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

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

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

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

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-28

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

Voting via voice:

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

Discussion

No items scheduled

City Administrator's Report

Staff Report

City Administrator Clint Gridley reviewed the following upcoming meetings:


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

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 7:28 p.m.

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

Respectfully submitted,



Kimberlee K. Blaaser, City Clerk

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Approved by the Woodbury City Council on February 9, 2022