

Minutes
Woodbury City Council
Wednesday, February 9, 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 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.

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- 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.

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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.

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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. Blaaser, City Clerk

Approved by the Woodbury City Council on February 23, 2022