

Minutes
Woodbury City Council
Wednesday, April 12, 2023

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 12th day of April 2023.

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 to 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; Kevin Sandstrom, City Attorney; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; Jennifer McLoughlin, Environmental Resources Manager; and Annie Coyle, Assistant to the City Administrator/Deputy Clerk.

Special Order of Business

Mayor Burt noted an amendment to the agenda and stated there was a new K9 joining the Public Safety team. She welcomed Donna Smith-Stafford and asked her to introduce herself.

Ms. Smith-Stafford stated she is the founder and president of the Woodbury Police K9 Fund. She explained the mission statement was created in gratitude of Public Safety and in memory of her late husband. The mission statement is to provide K9's certification training, medical expenses, burial expenses and anything else the team needs. She noted in the previous year they were able to provide a therapy dog to the City. She noted when she started the fund she was going to provide one dog, now she is presenting the seventh dog. She thanked the community for their support. She introduced two of the board members, Alisa Rabin Bell, and Kelly Fenton and noted Councilmember Morris is on the board. The website is currently running and encouraged others to visit it. The website features current and retired K9's, has an in-memorial page, photos and the history of the fund. In addition, the website explains how the community can get involved and help with the fund including purchasing merchandise. She showed the Council the various merchandise that is available for purchase and explained it is currently not available on the website. She added they will add mini K9 stuffed dogs in the future and will all come with vests and a name on their bandana. There will be 150 German Shepherd and 150 white Golden Retriever mini K9 stuffed dogs available and will have the dog's name on the bandana. She noted the mini stuffed dogs will be donated to the City to be used on mental health calls or when needed and also available for sale.

Ms. Smith-Stafford introduced the new handler, Officer Bob Boleen. Officer Boleen explained he has been with the City for four years and stated K9, Echo is a year and a half and comes from the Czech Republic and are in the middle of training. Ms. Smith-Stafford asked him how long he has wanted to be a K9 handler. Officer Boleen stated it has been over eight years and thanked the department for allowing him to do this. He added Echo lives at his house and is well mannered. Mayor Burt congratulated Officer Boleen and thanked him for his work and thanked Ms. Smith-Stafford.

Councilmember Morris mentioned the website is www.woodburyk9fund.org. Ms. Smith-Stafford explained all previous handlers and K9's are on the website as well as a memorial for all K9's that have passed.

A. Report on March 22, 2023 closed session regarding litigation between Joseph Paul Baker v City of Woodbury et.al, Case No. 20-cv-1787-DSD-HB

City Attorney Kevin Sandstrom stated it is typical to give a brief summary to the public after having a closed session. During the closed session, the Council received a detailed update from the City's legal team on the defense side about the status of the litigation. No action was taken during this time.

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B. South Washington Watershed District Update

Deputy Administrator John Loomis explained there were two members of the board present, Brian Johnson and Mike Madigan. He explained they are coming up on year seven of a ten year watershed management plan. The plan has shifted from focusing on the Central Draw overflow to water quality and resiliency work. They have held the tax impact and storm water utility fees flat with a typical tax impact being \$2. He explained they have added some staff capacity to manage larger regional BMP projects and some board change over with Emily Stephens joining the board. They have re-established the citizen's advisory committee with 6 members appointed and will help with planning the next ten year watershed management plant next year.

Mr. Loomis stated they are continuing the incentive programs that are open to all district residents and businesses to apply for funding to implement water quality practices on their land. They are continuing their coordinated capital improvement grant program which is used to help cities and other government agencies that can help implement plans that better water quality and resources. In addition, they are continuing their experiential education program in partnership with district 833 and are switching from 5th grade classrooms to 6th grade classrooms. The program involves weekly visits from SWWD and Carpenter Nature Center staff to educate students on water and ends with a field trip to Carpenter Nature Center.

Mr. Loomis explained there is a new partnership where they are leveraging capabilities of cities and their equipment to implement BMPs in the watershed. He noted Woodbury is in the Enhanced Street Sweep program pilot and began in the fall of 2022 and picked up approximately 150 pounds of phosphorous before it could make it to the City's Lakes. They began to treat in lake aquatic invasive species in 2022 and will expand later in 2023. He noted the two large projects in the City include Wilmes Lake Alum Treatment Facility installing a small treatment facility for storm water at the north end of the lake. The watershed district will install it and the City will own, operate and maintain it and the watershed district will reimburse the City for the costs. The project is out for bid and should have contract for construction awarded in the next several months and will break ground in the summer of 2023. The second project is Hasenbank Woods and Park and are working to restore the old woodland and finalize plans for a stormwater park along St. John's Drive that would benefit Powers Lake. Mr. Loomis noted there will be a volunteer seeding event on May 16, 2023 at Hasenbank and an open house following the event in order to see the work that is to be done.

Mayor Burt noted she did not have that on her calendar. City Clerk Kimberlee K. Blaeser stated she would work with them. Mayor Burt asked what time of day the event would be. Mr. Loomis stated the seeding event would be from 4-6 p.m. and the open house would be from 6-8 p.m.

Mayor Burt asked if the alum plant would be up and running by the end of summer 2023. Mr. Loomis stated they would begin construction in the summer of 2023 and would be online in the spring of 2024.

Mayor Burt asked if he had mentioned a cost share program with homeowners and business. Mr. Loomis stated the standard cost share program is opened to all land owners in the district and residents can call them if they have any ideas and the watershed will come out and help land owners identify best practices to improve water quality and have funds to help them implement it. Mayor Burt asked if he could give examples of those kinds of projects. Mr. Loomis noted rain gardens, swales, and turf to prairie conversion are some examples. Mayor Burt asked if they would go for homeowners associations as well. Mr. Loomis stated they would.

Councilmember Wilson asked if the alum treatment facility would help with water levels and flooding. Mr. Loomis stated the project would not affect the water levels but would capture the water flowing to the lake, treat it and flow back to the lake and is targeted on water quality.

Mayor Burt noted there are three watershed districts that operate in the City. She thanked Mr. Loomis for what they do.

C. 2022 Community Development Annual Report

Community Development Director Janelle Schmitz reviewed the 2022 Community Development Annual Report, and provided an overview of construction activity, HRA loan activity, total taxable value, and deep dive discussions (growing on-retail sector, 2040 Comprehensive Plan and Orville Commons). There were 10,510 building permits in 2022 which is a 42% increase from the previous year. She stated that 96% of the building permits come from existing houses and commercial buildings. She noted there is a large commercial and housing stock that contributes to these types of permits. In addition, the level of reinvestment activity shows there is continued investment in properties and people are taking care of their property. There was a decrease in new residential construction from the previous year. The ten year average is roughly 616 new units with 2022 being 745 in new units. She mentioned in 2022 there were 330 single family units, 180 townhomes and 235 apartment units.

Ms. Schmitz noted there was 1.1 million square feet in new commercial construction with only 7,000 square feet dedicated to retail. She noted the retail includes the Famous Dave's redevelopment site which includes a Starbucks and a multi-tenant building developed by Launch Properties. The Amazon leasehold improvements was not included in the commercial construction square footage, but will be recognized as a new business for the year.

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Ms. Schmitz stated the first deep dive was the growing non-retail sector with 1.8 million square feet of new warehouse/distribution/industrial space constructed in the northeast area. This equates to roughly 63% of the non-retail space constructed since 2008. The next largest sectors are medical office which makes up about 17%, hotels at 9%, office at 8% and a smaller amount of banking services and education. She added that cumulatively the city's commercial stock is made up of 61.5% non-retail and 38.5% retail. She explained how in the early 2000s the City did a commercial land use study and strategically decided to keep the retail market in check which she believes has helped to keep the City's retail vacancy rate at a healthier level, especially as retail trends continue to change and evolve.

Ms. Schmitz stated that several years ago the City began to acknowledge commercial reinvestment in addition to new developments. In 2022 there were 122 reinvestment permits that contributed \$74 million worth of permit value. She identified the top ten reinvestment projects noting that all of these projects had a minimum permit value of \$700,000, and how this has increased over time. These new commercial projects, along with the top ten reinvestment projects will be recognized at the Business Celebration on May 4, 2023 at 7:30 a.m. at Central Park, and she noted that the Council, Planning Commission and EDC members as well as the public is invited to attend. The focus will be to thank the businesses for investing in Woodbury and is sponsored by the Chamber of Commerce.

Ms. Schmitz stated the second deep dive was the 2040 Comprehensive Plan. She explained that in 2022, the Council adopted the Gold Line Station Area Master Plan, the Woodbury Economic Development Strategic Plan and began implementing the South of Dale Master Plan. She reviewed the HRA loan activity and stated in 2022 there were 16 total loans with 14 being first time homeowners and two neighborhood reinvestment loans. She explained in late 2021 the City added a first generation home program and that five of the 14 first time homeowner loans were first generation loans. She added that they are expecting to issue more loans this year since interest rates for a first mortgage have gone up, making the HRA loan program more attractive. She noted the first time homeowner loan has a 3% interest rate and the first generation loan is a zero percent interest program

Mayor Burt asked if they could include different colors in the graph going forward to indicate the first generation loans. Ms. Schmitz stated they could do that.

Ms. Schmitz stated the last deep dive is the Orville Commons affordable housing. She noted the Urban Village Master Plan began in 2011 with a grant from the Met Council with the LCDA program account. One of the conditions for the funding was to include affordable housing. Orville Commons is under construction and will include 235 units affordable for those who are at the 60% of the area medium income. Leasing is expected to begin in the summer of 2023. Mayor Burt stated City Administrator Clint Gridley and she were able to do a tour and it was a beautiful facility.

Ms. Schmitz explained the tax value continues to grow from \$7.9 billion in 2015 to \$15.1 billion in 2023. The majority of the taxable value is in residential. She noted the Planning Commission and EDC have reviewed the presentation and had provided good feedback that resulted in the final product before the Council.

Mayor Burt thanked Ms. Schmitz, her team, the Planning Commission and the EDC for the work they did.

D. Volunteer Recognition Week Proclamation

Mayor Burt read a Proclamation in full declaring April 16-April 22 2023 as Volunteer Recognition Week.

Mayor Burt noted they do a letter of recognition to all those who volunteer and are able to receive a gift when they pick it up. She thanked all who volunteer in the community.

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.

Stephanie Sadowski, 9550 Lake Road, stated she lives by Colby Lake and explained she has emailed Mr. Loomis about the water quality of Colby Lake and is glad to hear there will be movement in that area. She thanked Councilmember Date for her help. She expressed her concern of excessive speeding on Lake Road. She noted the speed limit is currently 40 mph but many drivers are not going that speed. She explained her mailbox is on the other side of Lake Road and has to walk across 4 lanes to get her mail each day. She stated on March 21, 2023 someone lost control of their car and ended up in their front yard, which was a worry for her and her husband had. She showed the Council pictures of the incident. Xcel Energy came out after the incident and mentioned it was a miracle that the car did not crack off the gas meter. She stated she would like this to be addressed and had a couple of ideas on how to fix the issue. She mentioned in the past, there was a police officer posted at the bottom of the hill to be a presence for people to remember to slow down. Another idea is have a speedometer posted at the bottom of the hill and at the crosswalk on Lake Road. She expressed her appreciation for any help and explained even something small could make a difference.

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Mayor Burt stated they did not have answers at the time but would bring it to the Engineering team. She added Lake Road was originally scheduled to be reconstructed but has been delayed. The construction was scheduled to converge the 4 lanes to 3 lanes on Lake Road. It is unknown when the project will occur.

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 – March 22, 2023

Item B To adopt the following resolution

Resolution 23-58

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Memorandum of Understanding and acceptance of \$143,896 donation from the Woodbury Community Foundation to facilitate the Angels of Hope - Woodbury Memorial Project and corresponding budget amendment and authorizing the Mayor and City Administrator to sign said Memorandum of Understanding.

Item C To approve Copper Hills 3rd Addition, Final Plat, Project No. 33-2023-00514. Staff further recommends Council authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions outlined in Council Letter 23-77.

Item D To adopt the following resolution

Resolution 23-59

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, for construction administration services for the Copper Hills 3rd Addition Utility and Street Improvements Project (Private Construction) contingent on all required securities being collected, preliminary plat approval and a fully executed Developers Agreement.

Item E To adopt the following resolution

Resolution 23-60

Resolution of the City of Woodbury, Washington County, Minnesota authorizing SRF Consulting Group, Inc., as the engineering consultant for the Bielenberg Drive and Currell Boulevard Rehabilitation Project (Guider Drive to Valley Creek Road) and authorizing the preparation of the preliminary report.

Item F Budget Amendment; Addition of Engineering Project Coordinators to the Engineering Division. **This item was removed from the Consent Agenda and moved to the Discussion portion of the meeting**

Item G To adopt the following resolution

Resolution 23-61

Resolution of the City of Woodbury, Washington County, Minnesota authorizing acceptance of City of Woodbury Wellhead Temporary Water Treatment Grant Amendment #3, SWIFT Contract #174676, from Minnesota Pollution Control Agency in the amount of \$9,138,740 and approval of budget amendment to the Water and Sewer Utility Fund.

Item H To adopt the following resolution

Resolution 23-62

Resolution of the City of Woodbury, Washington County, Minnesota approving a budget amendment in the amount of \$333,457 to the Water and Sewer Utility Fund Budget for non-grant eligible Woodbury Water Treatment Plant design services.

Item I To adopt the following resolution

Resolution 23-63

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute a letter of engagement with Advanced Engineering and Environmental Services, LLC (AE2S) as the City's consultant and engineering firm for Wellhead Temporary Water Treatment.

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- Item J 2022 Fund Closings and Transfer of Assets and Liabilities. **This item was removed from the Consent Agenda and moved to the Discussion portion of the meeting**
- Item K To adopt the following resolution **Resolution 23-64**

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the transfer of funds between certain funds.
- Item L To adopt the following resolution **Resolution 23-65**

Resolution of the City of Woodbury, Washington County, Minnesota approving various 2022 final budget adjustments.
- Item M To adopt the following resolution **Resolution 23-66**

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the acceptance of donation of new K9, training and boarding from Woodbury Police K9 Fund.
- Item N To adopt the following resolution **Resolution 23-67**

Resolution of the City of Woodbury, Washington County, Minnesota approving the CJDN Joint Powers Agreement, Including the Court Amendment to the CJDN Joint Powers Agreement between the City of Woodbury on behalf of its Prosecuting Attorney, and the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension.
- Item O To adopt the following resolution **Resolution 23-68**

Resolution of the City of Woodbury, Washington County, Minnesota authorizing Woodbury City staff to execute all necessary documents to ensure Woodbury City participation in the multistate settlements relating to opioid supply chain participants, and in the Minnesota Opioids State Subdivision Memorandum of Agreement.
- Item P 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 March 17, 2023 in the amount of \$2,475,770.09, March 24, 2023 in the amount of \$751,215.48 and March 31, 2023 in the amount of \$485,086.32.

Councilmember Date moved, seconded by Councilmember Santini, to approve the Consent Agenda items with the exception of items 6F and 6J.

Voting via voice:

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

Public Hearings

A. Waypointe of Woodbury; Vacation of Public Drainage and Utility Easement

Mayor Burt declared the public hearing open.

Environmental Resources Manager Jennifer McLoughlin stated the property owner of the Waypointe of Woodbury development, Tradition Development, is requesting to vacate all the drainage and utility easements on Lots 6 and 7, Block 1, Waypointe of Woodbury. She explained the reasons for vacating easements is because drainage and utility easements are no longer necessary, they are being replatted into one lot within the final plat for Waypointe of Woodbury 3rd Addition, and new drainage and utility easements will be dedicated to the City with the recording of the final plat for Waypointe of Woodbury 3rd Addition. She showed the Council the location map and mentioned Lots 6 and 7, Block 1 would be combined to be a future community center and noted it is on the southeast corner of Dale Road and Woodbury Drive.

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Mayor Burt noted that the map mentioned the development was on Radio Drive and asked if it was supposed to read Woodbury Drive. Ms. McLoughlin stated it was supposed to say Woodbury Drive.

Mayor Burt asked what would be in the community center. Ms. McLoughlin stated it would be a small private club house. Ms. Schmitz added they are still deciding what would go in there but they may add party rooms and a pool.

Councilmember Wilson asked if they were dropping the lots from 75 to 72. Ms. Schmitz stated they were consolidating the lots down to 72. Instead of having the lots be homes, they will build a community center in its place. Councilmember Wilson asked if they were putting the housing lots anywhere else. Ms. Schmitz stated she did not know if they were going to include them in the next phase but they were not on the particular phase.

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 Santini moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 23-69

Resolution of the City of Woodbury, Washington County, Minnesota authorizing to vacate the drainage and utility easements for Lots 6 and 7, Block 1, previously recorded with the Waypoint of Woodbury final plat subject to the condition outlined in Council Letter 23-90.

Voting via voice:

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

B. Spitz Woodbury, Inc., 1930 Donegal Drive, Suite 200, On Sale Intoxicating Liquor License including Sunday and Patio Sales

Mayor Burt declared the public hearing open.

Assistant to the City Administrator/Deputy Clerk Annie Coyle stated Spitz Woodbury Inc. has submitted an application for an On Sale Intoxicating Liquor License including Sunday and Patio sales for their new restaurant to be located at 1930 Donegal Dr., Suite 200. The sole owner of Spitz Woodbury Inc. is Christopher Law. As required by City Code, a criminal history check as it pertains to liquor licensing was conducted on the owner, Christopher Law, and no violations that would preclude the owner from obtaining a liquor license was found. City staff will provide the applicant with a copy of our City ordinance and alcohol violation policy which is included in our Protect Your Business manual. 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.

Mayor Burt stated they asked the owner to join the meeting but was unable to join since he was at his location in Minneapolis. She read the statement from the owner.

Mayor Burt asked what the timeline was. Ms. Coyle stated the license will be effective May 1, 2023 but has not heard the official opening date.

Mayor Burt asked if they were doing tenant updates already. Ms. Schmitz stated she does not have a date on when a Certificate of Occupancy is expected but they have been making progress.

Councilmember Morris asked if additional licenses were required to make the wine for sangrias. Councilmember Santini stated they were mixing the ingredients instead of making the wine.

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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

Councilmember Morris moved, seconded by Councilmember Santini, to approve an On Sale Intoxicating Liquor License including Sunday and Patio Sales to Spitz Woodbury Inc. located at 1930 Donegal Dr., Suite 200.

Voting via voice:

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

Discussion

A. Consent Agenda Item 6F. Budget Amendment; Addition of Engineering Project Coordinators to the Engineering Division.

Mr. Gridley stated the Council has received a number of emails from him regarding the budget amendment. He noted the engineering work load has increased significantly which has caused a need for additional staff members in order to continue to deliver community projects and be responsive to residents. He noted that the 3M Settlement Project will create double the amount of workload due to 14 miles of piping. In addition, other projects include the Metro Gold Line, roadway rehabilitation and reconstruction program, increased community engagement efforts, Central Park and Public Safety building improvements, federally funded projects and development pressures.

Mr. Gridley showed the Council a graph summary and noted 2023 and the following years will have larger expenditures with the combination of development projects and City initiative projects. He explained his role is to make sure they can deliver the projects and fulfill the expectations of the Council. Mayor Burt asked if the graphs were showing consultant expenditures for engineering and by year. Mr. Gridley agreed and stated \$4.6 million have gone to consultant expenditures since they do not have the Staff to provide the services. He explained while they will continue to have consultants, when there are particular projects with specific needs, it is important to have City Staff manage community engagement and projects. Due to timing, they will need to move quickly in hiring.

Mr. Gridley reviewed areas they need to consider such as moving and shifting of capital projects, balancing consulting services and cost effectiveness and supporting increased community engagement efforts. He added they want to fulfill their mission statement on exceeding expectations, and to do so, they need to be fully staffed. He noted he also desires for succession planning and would like to prepare for when people are leaving and how to replace them.

Mayor Burt asked how many people are on the Engineering Staff and how the cost of their team compares to consultant costs. Mr. Gridley stated he would not be able to give exact numbers but would follow up with her. Councilmember Wilson stated when she looked it was 16.85 FTE's in the budget. Mr. Gridley stated there are environmental Staff, building Staff and engineering Staff under the Engineering department.

Mayor Burt asked if they were asking to reduce the cost of consulting by adding Staff members to be more efficient. Mr. Gridley agreed. He noted there are services that are a good fit for consultants including design, geotechnical, and field services. He mentioned it is not as responsive to have a consultant manage constituent related services.

Mayor Burt commented that much of the concern when adding staff is the duration and if it is sustainable to add the FTE's. She mentioned Mr. Gridley communicated that there will be projects moving forward that Staff are needed. Mr. Gridley explained building inspections is a good example on how to be thoughtful in a succession plan or when projects fluctuate. He stated in his position, he needs flexibility to decide when to staff up and down or when to consult.

Councilmember Wilson thanked Mr. Gridley for his presentation and asked if they logistically had the ability to create two new positions and hire the Staff. Mr. Gridley explained that is why the budget change is before the Council and needed to do the hiring quickly, which is why he sent an email to Council prior to the meeting. Mayor Burt noted they gave him personnel authority authorizations last year. Councilmember Wilson explained she did not know if they gave him authorization to add new positions. Mr. Gridley stated council gives authorization relative to consultant dollars and explained he emailed the Council ahead of time and moved forward in good faith hoping they would trust him with the operations. He stated Staff needs the flexibility to decide between consulting or using Staff to deliver on projects that the Council is approving. Councilmember Wilson noted none of the projects are new and have been approved for a number of years and explained they authorized a new engineer the previous year. Mr. Gridley explained they are living the delivery of the

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projects instead of the planning and approval projects. He added they need to have a dynamic trust between how they manage between consultants and Staff.

Councilmember Wilson asked if the Gold Line costs included engineering costs instead of just landscape and lighting costs. Mr. Gridley agreed and stated the tax abatement district is paying the costs for personnel. Councilmember Wilson asked if there were already consulting fees for the road rehabilitation project. Mr. Gridley agreed and added there is time and material aspect to them and the cost is not fixed. He added in the dynamic of job environment and explained that when Staff cannot fulfill project aspects, that they give the responsibility to consultants.

Councilmember Wilson asked if the Royal Oaks project already had their assessments handed down based on consultant fees. Mr. Gridley agreed, and added when a resident call in they would prefer to have a City Staff handle the call than a consultant. Councilmember Wilson agreed and stated there is a hotline residents can call. She expressed two major concerns around logistically creating positions and taking funds from the street rehabilitation fund to pay for engineers. She added the Royal Oaks assessments looks like consultants are paying. Mr. Gridley disagreed and stated the assessments were fixed based on the value determination of the assessor. He added in many ways it makes the project less expensive because consultants will be more expensive and they have more control with in-house Staff. Councilmember Wilson agreed that having an in-house Staff would be preferred and added that her concern is that the Staff were hired and then the email went out the Council. She asked if they were setting a precedent if Mr. Gridley were to leave and a new person was hired.

Mayor Burt commented that the discussion is about a cost neutral situation. Councilmember Wilson stated it was cost neutral this year but not moving forward. Mayor Burt disagreed and stated they will always have consultant fees but now they will have more options to use City Staff. She added if it was a statutory B city, a City Administrator would be able to make the decision to create new positions. Councilmember Wilson asked if that was correct. Mr. Sandstrom confirmed it was correct. Mayor Burt added that the Council has granted extra authority for Mr. Gridley to have the flexibility to make smart business decisions.

Councilmember Morris added that Mr. Gridley did not create a new classification, but he simply hired new Staff in positions that were already created. Councilmember Date stated they authorized Mr. Gridley to over-hire in Public Safety and added there is already precedent for these situations. She explained it was amazing that they found two great engineers since the hiring process has been difficult in previous years. She added they have given Mr. Gridley has found a way to save money which is what everyone desires.

Councilmember Date moved, seconded by Mayor Burt.

To adopt the following resolution

Resolution 23-70

Resolution of the City of Woodbury, Washington County, Minnesota amending the 2023 budget and funding plan for two Engineering Project Coordinators to the Engineering Division.

Voting via voice:

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

Discussion during the motion:

Councilmember Santini stated Councilmember Wilson had good points regarding Mr. Gridley not always being in the position or each of the Councilmembers. She noted whoever is on the Council during Mr. Gridley's replacement, they can review the authorization and change what is in place. Councilmember Date agreed and stated there are plenty of mechanisms in place to revoke or change authorization. She added after the budget review she was surprised there were no requests to add additional engineers with the amount of consulting fees the City was paying. Councilmember Santini stated she supported the decision.

Councilmember Wilson asked why the decision needed to come before Council if he had the authority to make the decision. Mr. Gridley stated the Council needed to approve the transfer from the roadway rehabilitation fund to the general fund to cover the engineering costs. He explained he sent the email as a financial formalization of what he had done. Councilmember Wilson asked if that included the two full time engineering coordinators. Mr. Gridley agreed and stated that it was included in the financials. Councilmember Morris stated it would have been expended as consultants. Councilmember Wilson stated she understood but did not know if she agreed with having the money come out of the road rehabilitation fund. Councilmember Morris stated the money would have come out for consultants. Councilmember Wilson stated consulting fees may still come out since there are 45 projects. She reiterated her concerns. She stated it needed to come before Council due to the addition of two FTE's. Mr. Gridley stated they were approving a transfer of funds. Councilmember Morris explained the City Administrator does not have the authority to transfer funds without the approval of Council.

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Councilmember Wilson asked if they could transfer up to a certain amount. Mr. Gridley stated when it is fund to fund, the Council approve them all. He added when it is within the general fund he has the flexibility to do that.

B. Consent Agenda Item 6J. 2022 Fund Closings and Transfer of Assets and Liabilities

Councilmember Wilson pulled this item for discussion and stated she wanted to focus on the Public Works expansion project fund and unfinished projects. She asked if the project was completed in 2019. Mr. Gridley agreed. She stated her belief that they should keep the fund opened and utilize it to complete the Public Works building. She expressed her concern that the project has been done for four years and still have not completed things up to standard. She asked why they were holding themselves to a lesser standard than what is required with other businesses. Mr. Gridley stated a year ago, the Council asked to go back to the residents to check with their level of satisfaction. City Staff completed this and collected feedback. He explained they closed the fund with \$40,000 and added it was a typical move. He noted one of the items from feedback was the ash trees but they were unable to complete the request due to the weather and stated it would be best to put off the project for a year. He stated the intention and commitment remain the same. He added the City is wanting to remove the ash trees before they become an issue while many residents would not like to see them removed. He explained he has emailed back and forth with Councilmember Wilson and has provided enough information regarding the topic and stated if the Council wanted to use a consultant to remove the trees they can do that. He stated Staff was looking to save money instead of going that route. Councilmember Wilson stated she would like to save money. She asked if the upgrades are finished. Mr. Gridley stated they are. Councilmember Wilson asked if there could be open storage for machinery, sand, and gravel. Mr. Gridley stated there is at the Public Works yard. Councilmember Morris stated he was on the Planning Commission during the time they had the discussion about the Public Works yard and exterior storage. He added there was hours of discussion and it was all public.

Councilmember Wilson asked if there were lights and shades that still needed to be put in. Mr. Gridley stated there were lights and shields that needed to be put in but they are modest in cost. Councilmember Wilson stated her concern in transferring the funds is that removing the trees would then come from the Parks and Forestry fund. She asked that they use the public works fund to finish the Public Works building. Mr. Gridley stated that was acceptable and Council could do that but they prefer to be tidy in the budget and would like to close it up but it would not be a problem if the Council decided to keep it opened another year.

Councilmember Date expressed her concerns regarding addressing issues that feel trivial and operational. She added it costs more money and time when the Council does not trust the recommendation of the Staff. She added not everything can be compartmentalized and would prefer to move forward instead of dragging it out for another year.

Councilmember Date moved, seconded by Mayor Burt,

To adopt the following resolution

Resolution 23-71

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the closing of certain funds and the transfer of their assets and liabilities.

Voting via voice:

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

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

No items scheduled

City Administrator's Report

Mr. Gridley stated Eagle Valley is opened with golf beginning at 12 p.m. on April 12, 2023. He stated they would continue to evaluate the grounds for the carts but people are allowed to walk the course.

Mr. Gridley read a statement regarding the I-94 project stating motorists will experience a long term lane closure on eastbound I-94 between Woodbury and Lakeland on April 17, 2023 when road construction begins between Highway 120, Century Avenue and the St. Croix River. Beginning at 5 a.m. on April 17, 2023, eastbound I94 will be reduced to two lanes between Woodbury Drive and St. Croix River. Beginning April 24, 2023 westbound I94 will be reduced to two lanes and shifted to the east side of the interstate from west of the St. Croix River to Woodbury Drive. Crews are anticipating closing the entrance ramp to Highway 95 St. Croix Trail to westbound 94 and can detour by using Highway 95 Hudson Road south, Woodbury Drive and westbound I94. All construction activities are weather dependent and subject to change. MnDOT encourages motorists to drive with caution. MnDOT will be resurfacing the pavement and

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making additional improvements to I94 between Highway 120 Century Avenue and the St. Croix River through fall of 2024. He added the bridge being built across I94 and Bielenberg will also have an effect.

Mr. Gridley noted they are tentatively planning on September 30, 2023 at Ojibway Park for One Woodbury and would provide more information later. He noted they are still solidifying the roles for the event but expressed his excitement.

Mr. Gridley stated the New Resident event would occur on November 9, 2023 at M Fairview Sports Center.

Mr. Gridley mentioned they have good news regarding obtaining Well 20. He noted the Council approved the funding for the temporary treatment for three more wells and expressed the importance of doing that. He explained Public Works is overwhelmed by the amount of fallen trees and brush and will see delays in services due to the work that will need to be done on fallen trees and brush.

Mr. Gridley stated the Priority 2 Program for the 3M settlement of \$20 million is started. He noted Mike Madigan and Dave Filipiak represent the business and citizen community and a City Staff member is a representative.

Mr. Gridley gave a verbal update of upcoming City meetings.

- April 17, 2023 – Cancelled Planning Commission Workshop
- April 19, 2023 – Council Workshop regarding ensuring long-term drinking water sustainability strategic initiative
- April 25, 2023—Economic Development Commission, 7:30 a.m., Ash North and South Conference Rooms.

Mr. Gridley noted they had their second DMO task force meeting where Mayor Burt shared Ms. Schmitz report and about the Parks and Recreation arts and culture. He explained there is a lot going on in the City and is excited to utilize the task force to market what is already there. Mr. Gridley and Mayor Burt expressed that it was going well.

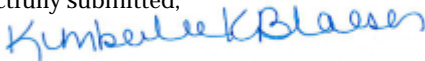
Councilmember Wilson stated on April 14, 2023 there would be a multicultural event put on by South Washington County Schools at Eastridge. She mentioned she went to a smaller version at the library and had a good experience. She encouraged people to check it out. Mayor Burt asked what time the event would be. Councilmember Wilson stated 6-8 p.m. She encouraged people to check out the K9 fund website.

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 8:35 p.m.

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

Respectfully submitted,



Kimberlee K. Blaese, City Clerk

Approved by the Woodbury City Council on April 26, 2023