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 27th day of April 2022.

**Call to Order**

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

Mayor Burt noted that Agenda Item 6I has been amended to reflect title recommendations.

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; Pam Whitmore, City Attorney; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; Eric Searles, City Planner; Tony Kutzke, City Engineer; and Sarah Alig, Senior Management Analyst.

**Special Order of Business**

**A. Recognition in Appreciation of the Late Jim Schug**

Mayor Burt read in full a Resolution in appreciation for the late Jim Schug.

Mayor Burt moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution of the City of Woodbury, Washington County, Minnesota in appreciation for the late Jim Schug.

**Resolution 22-87**

Voting via voice:

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

**B. Peace Officers Memorial Day and Police Week Proclamation**

Mayor Burt read a Proclamation in full declaring May 15, 2022 as Peace Officers Memorial Day and that week as Peace Week in the City of Woodbury.

**C. Building Safety Month Proclamation**

Burt read a proclamation in full proclaiming May 2022 as Building Safety Month in the City of Woodbury.
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 Items 6A and 6B be moved to the Regular Agenda.

Item A Approval of Council Minutes – April 13, 2022. This item was pulled from the Consent Agenda and moved to Discussion

Item B Amending the Food-to-Alcohol Ordinance. This item was pulled from the Consent Agenda and moved to discussion.

Item C To adopt the following resolution

Resolution 22-88

Resolution of the City of Woodbury, Washington County, Minnesota approving the Master Partnership Contract with the Minnesota Department of Transportation and authorizing the Mayor and City Administrator to sign said contract.

Item D To adopt the following resolution

Resolution 22-89

Resolution of the City of Woodbury, Washington County, Minnesota approving the budget amendment for payment to Sawatch Labs, Xcel Energy’s preferred provider, for a Fleet Electrification Advisory Program, and accepting a Rebate from Xcel Energy for the Full Project Cost.

Item E To adopt the following resolution

Resolution 22-90

Resolution of the City of Woodbury, Washington County, Minnesota approving the Xcel Electric Vehicle Fleet Pilot Service Agreement.

Item F To adopt the following resolution

Resolution 22-91

Resolution of the City of Woodbury, Washington County, Minnesota authorizing acceptance of the City of Woodbury Pass Through Grant for Salem Church Municipal Water Hookup project from the MPCA in the amount of $200,000, authorizing the Mayor and City Administrator to execute the Memorandum of Understanding between the City of Woodbury and Salem Lutheran Church Regarding Municipal Water Hookup, and approving the budget amendment.

Item G To adopt the following resolution

Resolution 22-92

Resolution of the City of Woodbury, Washington County, Minnesota accepting the Agreement with the Woodbury Firefighters’ Benefit Association (WFBA) Board of Trustees and Members to Dissolve the Association.

Item H To adopt the following resolution

Resolution 22-93

Resolution of the City of Woodbury, Washington County, Minnesota creating one additional Utility Coordinator position.
Item I  To adopt the following resolution

Resolution 22-94

Resolution of the City of Woodbury, Washington County, Minnesota appointing Jason Posel to the position of Public Safety Director effective August 20, 2022 and the creation of a Public Safety Manager position effective May 8, 2022.

Item J  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 April 8, 2022 in the amount of $729,938.34, and April 15, 2022 in the amount of $1,883,607.88.

Councilmember Santini moved, seconded by Councilmember Morris, to approve Consent Agenda items 6C-6J.

Voting via voice:

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

Mayor Burt gave special recognition to Item 6I, a recommendation of promotion for Jason Posel.

Public Hearings

A.  Black Diamond Commercial; Planned Unit Development; Conditional Use Permit; and Preliminary Plat; Project No. 01-2021-00467; and Settlers Ridge Industrial Site and Building Plan; Project No. 01-2022-00482

Mayor Burt declared the public hearing open.

City Planner Eric Searles reviewed an application from Frattalone Commercial Development for two storage buildings and a warehouse on the 85-acre former Black Diamond site at Settlers Ridge Parkway and Eastview Road. He reviewed the site history, proposed soil corrections and mediation on the eastern site. The PUD includes a traditional office/warehouse building and proposed self-storage uses, which are geotechnically able to be constructed on the site.

Mr. Searles reviewed the site and building plan for Lot 1, Warehouse Use, where there are limited impacts from previous operations and more traditional development opportunities are available. There is an Alternate Urban Areawide Review for the Northeast Area. The applicant proposes to fully fund necessary roadway improvements. The proposed uses of warehouse/office/light industrial would have a total of 180,000 square feet in a transition zone from the residential to the west. Self-storage uses do not need significant public services and can also be an effective buffer between residential districts and more intensive commercial uses.

Mr. Searles stated a proposed pedestrian network would serve the office/warehouse uses and extends trails along Settlers Ridge Parkway and Eastview Road as well as a proposed north/south road that would connect to Hudson Road. There are four proposed access points to the site: Karen Drive; a future full access point to Settlers Ridge Parkway, and two full access points to Eastview road. A 20-30 foot high berm is proposed on the north along Eastview Road to fully screen utilities.

Mr. Searles stated a neighborhood meeting was held on March 28, 2022 and no questions were raised. The Planning Commission reviewed and unanimously approved the application at their April 18, 2022 meeting. City Staff recommends City Council approval of the application.

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 the proposed Diamond Drive will be privately constructed and maintained. Mr. Searles confirmed this.

Councilmember Morris requested clarification regarding the potential use of the property beyond this development. Mr. Searles stated any future use identified as permitted or conditional use in the Business Campus district could go on Lot 2 or 3 under this PUD and would be reviewed under future applications.
Councilmember Wilson asked whether approval of the PUD would constitute approval of self-storage on the lots. Mr. Searles stated self-storage, if designed appropriately, could meet CUP requirements. He added the City Council would be giving some indication of future support and any concerns related to future use should be discussed.

Councilmember Wilson asked whether it would be beneficial to make Karen Drive a private road. Mr. Searles stated there will be future development on the north side of Karen Drive, which will be constructed at a higher standard than a private road. He added Settlers Ridge Parkway is also a higher standard road.

Councilmember Wilson stated there should be a sidewalk or trail on the south side of the Eastview Road, by the church and residential neighborhoods. Mr. Searles stated there is a long-term goal for a trail on the south side of Eastview Road, but he is unsure of the specific details.

Councilmember Date requested that City Staff provide additional information on that issue.

Councilmember Wilson asked whether the previous use of the property limits future development possibilities because of ground stability. Mr. Searles confirmed this, adding the Minnesota Pollution Control Agency (MPCA) determined that the material determined to be an inert material, and not contaminated; however, the material will have an impact on the types of development that can occur, based on the scale.

Councilmember Wilson requested clarification regarding other acceptable uses. Mr. Searles stated uses that do not have a significant building footprint would be the most appropriate for this site.

Councilmember Wilson asked whether the berm would extend to Settlers Ridge Parkway. Mr. Searles stated future development is anticipated at the corner of Settler’s Ridge Parkway.

Councilmember Santini asked whether consideration has been given to the eagle’s nest across the road. Mr. Searles stated the appropriate agencies have been consulted and no additional work is necessary. He added City Staff actively monitors the eagle’s nest.

Councilmember Wilson asked how far out notices are delivered. Mr. Searles stated notices are sent to properties within 500 feet of the subject property. He added City Staff requested that the applicant place a prominent sign on the site providing information about future industrial development before adjacent residential sites were developed or sold. He added he has spoken to residents who are going through the home buying process at this location.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-95

Resolution of the City of Woodbury, Washington County, Minnesota, approving a Conditional Use Permit (CUP) and adopting findings of fact.

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 a motion approving the Black Diamond Commercial Planned Unit Development (PUD) and Preliminary Plat, Project No. 01- 2021-00467.

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 a motion approving the Settlers Ridge Industrial Site and Building Plan, Project No. 01-2022-00482, all subject to the conditions as outlined in Council Letter 22-127.

Voting via voice:

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

Discussion

A. 2022 Community Survey Results

Mayor Burt introduced Jade Arocha and invited her to address the City Council regarding the recent 2022 Community Survey.

Jade Arocha, Director of Survey Research for National Research Center (NRC) at Polco, presented the results of the 2022 Woodbury Resident Survey. She reviewed the January 2022 survey involving 4200 randomly selected households. A total of 794 surveys were completed for a rate of 25%, with 3% margin of error. Results are weighted, and benchmark comparisons are provided for City Council review.

Ms. Arocha stated an open participation survey was also available to the community after the survey mailing, and 883 responses were received. She added those results are provided in a separate report.

Ms. Arocha reviewed seven key findings of the survey – overall quality of life; economic aspects; strong community connections and inclusivity; drinking water quality and adequate water supply; government performance and City service delivery; safety concerns; value of taxes.

Mayor Burt requested clarification regarding the percentages of respondents. Ms. Arocha stated the list of recipients is randomly selected from a list provided by the U.S. Postal Service (USPS) and includes vacant units and undeliverable surveys, which are subtracted from the overall number. She added this information is included in the full report.

Councilmember Date requested clarification regarding the response rate for those who received traditional mailing, and those who received the postcard. Ms. Arocha stated she does not have that data but agreed to follow up. She added the two surveys are a change in methodology that is being done for all clients in an attempt to ascertain differences in response rates.

Councilmember Wilson asked whether people who received the paper survey had the option to do the online survey. Ms. Arocha confirmed this, adding people could choose which survey they wanted to complete, and two postcards were sent.

Councilmember Date stated the City Council had hoped to increase the number of respondents with this survey to ensure a more cohesive review. She added it would be helpful to have a report back on how effective the method was. Ms. Arocha agreed to provide that information.

Councilmember Date asked whether addresses were recorded for people who completed the open participation survey, as that could be a potential source of data that has not been absorbed. Ms. Arocha stated respondents are not asked to enter their address, as there can be a negative response rate if they believe they are being tracked. She added that would be an additional step that would increase costs. She noted the City Administrator has requested a comparative analysis between the open participation survey and random sample responses.

Councilmember Morris stated the random sample responses are statistically relevant, but the open participant survey data cannot be confirmed. He added it is helpful to review the information, but not to compare it.

Councilmember Date stated it will be helpful to have addresses to reduce duplication and confirm participants’ residence in Woodbury. She added that seems like a good question that should be added to the survey. She stressed the importance of deciding whether the data is helpful as it cannot be integrated, and efforts could be focused on sending more postcards.

Ms. Arocha stated the open participation survey respondents are generally more civically engaged, and the ratings are higher with bigger discrepancies on controversial topics or policy issues. She added IP addresses are confirmed and participants are asked to provide an email address and zip code to cross match with voter registration data. She noted other personal information is not visible.
Councilmember Date stated residents have indicated that they are increasingly willing to pay more to keep City services at current levels. She asked whether survey questions about taxes can be benchmarked against other cities. She added she would wish that a benchmark on that issue could be provided as the City Council has often wondered if that is typical or not. Ms. Arocha stated that survey question is unique to Woodbury, and there were no statistical differences from 2019-2022.

Councilmember Date asked which questions related to diversity and inclusion were benchmarked. Ms. Arocha stated 2 of the 4 questions are unique to the Woodbury community, but not the City specifically.

Councilmember Date expressed concern that helping new residents feel integrated is only at 50% when it should be closer to 100%. She stated she supports spending some time thinking about this, as the City has done a lot of work on this issue, but the numbers have not changed.

Councilmember Morris stated the numbers have improved but they are low. He added he would be interested to see a benchmark related to the last question related to residents feeling connected.

Councilmember Santini stated there are many new residents who moved to Woodbury right before or during the pandemic who may feel disconnected because they have been isolated.

Councilmember Date stated the question about valuing people from diverse backgrounds is the lowest at 64%. She added that is troubling to her personally. She added the question regarding sense of community was much higher than previous surveys. Mayor Burt agreed, adding the way the question is worded was changed.

Ms. Arocha stated the change from phone survey to mail survey will always have a negative effect on ratings, as people being interviewed respond more positively than people who are filling out a form or responding online.

Councilmember Date asked whether there is a question regarding climate change. Sarah Alig, Senior Management Analyst, stated questions related to sustainability are located on page 39, but there is not a specific question on climate change.

Councilmember Date stated survey data related to climate change would have been helpful, as the City’s Natural Resources & Environmental Commission has been working on a recommendation related to climate change. She added responses related to water quality are not surprising but could be reviewed at the upcoming Council Workshop.

Ms. Arocha stated, as part of the City’s contract, unlimited follow-up surveys are available on the open participation survey platform. She added there is a library of questions including those related to climate change which would provide additional data.

Councilmember Date asked whether there were significant differences in diversity and inclusion responses based on how participants identify themselves. Ms. Arocha stated there is an appendix of demographic information related to household income.

Councilmember Wilson stated, with regard to a sense of community, participants 18-34 years of age had the lowest ratings, while those 72+ years of age felt the most connected.

Councilmember Wilson asked whether the data is divided into precincts. She requested an updated precinct map.

Councilmember Date stated she would be curious to know if home ownership impacts sense of community. She asked whether there is any data on sense of community as it relates to race and ethnicity.

Ms. Arocha stated cross tabulations based on race and ethnicity can be found on page 97 of the report. She added people who identified as being white gave more positive ratings than non-whites, while non-Hispanic people gave higher ratings than those who identified as Hispanic.

Councilmember Morris asked whether any questions related to crime were benchmarked. He added there has been a lot of attention given to this issue in Minnesota in the past 36 months. Ms. Arocha stated that section is unique to Woodbury. She added this is a public perception survey and survey results can be impacted by news stories and local media.

Councilmember Date stated she supports a review of crime-related survey questions, as it feels as though crime is increasing in Woodbury, and that perception is reflected in the survey. She noted the City Council should discuss ways to reassure people about public safety.

Councilmember Wilson stated she appreciates that the survey was sent out to more residents this year.

Mayor Burt stated the data is used by the City Council to work through potential strategic initiatives and support the budget process. She thanked Ms. Arocha for her report.

B. METRO Gold Line Subordinate Funding Agreement 6, 7, and 8 to Master Funding Agreement
City Engineer Tony Kutzke reviewed three Subordinate Funding Agreements (SFAs) between City of Woodbury and Metropolitan Council for City-requested infrastructure improvement projects. He reviewed City funding sources and Engineer’s estimates for the SFA’s, prepared by the Gold Line Project Office, which could be adjusted, based on actual bid costs.

Mr. Kutzke stated City Staff recommends City Council adoption of Resolutions authorizing execution of SFA’s 6, 7 and 8.

Councilmember Wilson stated plans for the park & ride station have not been provided and she is confused about whether trails are proposed for both sides of Woodlane Drive. She asked what is happening with that area.

Mr. Kutzke stated the park & ride station is a separate project to be presented to the City Council at a future date. He added City Staff are working on a PUD submittal review from the Gold Line Project Office related to that site that would address requirements for trails.

Councilmember Wilson stated the SFA includes landscaping and lighting along Woodlane Drive. Mr. Kutzke stated those components are only addressed within the project area, adjacent to the park & ride parcel.

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-96

Resolution of the City of Woodbury, Washington County, Minnesota, authorizing the Mayor and City Administrator to execute METRO Gold Line Subordinate Funding Agreement 6 to the Master Funding Agreement between the City of Woodbury and the Metropolitan Council.

Voting via voice:

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

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-97

Resolution of the City of Woodbury, Washington County, Minnesota, authorizing the Mayor and City Administrator to execute METRO Gold Line Subordinate Funding Agreement 7 to the Master Funding Agreement between the City of Woodbury and the Metropolitan Council.

Voting via voice:

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

Councilmember Morris moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-98

Resolution of the City of Woodbury, Washington County, Minnesota, authorizing the Mayor and City Administrator to execute the METRO Gold Line Subordinate Funding Agreement 8 to the Master Funding Agreement between the City of Woodbury and the Metropolitan Council.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
C. **Consent Agenda Item 6A - Approval of April 13, 2022 Minutes**

Councilmember Wilson stated she felt that some things did not make it into the April 13 minutes that should have been there, and this is not the first time this has happened. She added she verified that the comments were missing by reviewing the meeting video recording. She expressed concern that pulling the minutes from the Consent Agenda and making a separate motion is not sufficient as the rest of the City Council will not have had an opportunity to watch the video recording.

Councilmember Wilson stated the City Council meeting minutes are generally reviewed for typographical errors as opposed to content. She added she would like to come up with a way to determine if content is missing before the meeting at which the minutes are approved, as she felt that there were pertinent issues that were discussed that did not make it into the minutes. She stressed the importance of ensuring that the minutes are a true record of the meeting.

Mayor Burt stated the City hires a professional transcription team and the City Council has discussed in the past that the minutes should not be verbatim. She asked whether Councilmember Wilson has something in particular that she wishes to address.

Councilmember Wilson stated she has multiple notes on page 10 of the minutes.

City Attorney Whitmore stated Woodbury is a statutory City, and the minutes are the responsibility of the City Clerk. She added there is no requirement for verbatim minutes, and general discussion is not required or recommended. She noted minutes vary by City as they are responsible for their own process, but minutes in general should be summary in nature.

Councilmember Wilson stated some things were excluded that she felt were pertinent. She added Mr. Gridley explained the General Fund, and that is not included, which she felt was a missed opportunity. She noted the minutes should be a reflection of the meeting for people who want to review it.

Ms. Whitmore stated the City Council can pull the minutes and have a discussion, but the purpose of the minutes is to provide a summary of the actions taken at the meeting. She added the meeting is recorded and streamed, and residents can review it online.

Councilmember Wilson stated the video is only available online for 3 months, after which it is removed, and the minutes are the only reflection of what happened at the meeting.

Ms. Whitmore stated the agenda item can be postponed and reviewed at a scheduled future meeting.

Mr. Gridley stated City Staff would require specific direction regarding which comments should be inserted or changed so they can be confirmed on the video and a City Council vote would be necessary. He added this could set a precedent for City Staff with regard to the verbatim nature of the minutes.

Councilmember Wilson stated it should be reflected in the minutes if someone says something. Mr. Gridley stated the City Council can decide how detailed they want the minutes to be, but the League guideline is summary minutes.

Councilmember Wilson stated she did not ask for a verbatim set of minutes.

Ms. Whitmore asked whether the transcription service provides information to the City regarding their algorithm. Ms. Blaeser stated the transcription service is used by many local cities and has been a long-established service, and they understand the content necessary for City Council minutes.

Councilmember Wilson asked whether City Staff reviews the minutes after they are received from the transcription service. Ms. Blaeser confirmed this.

Councilmember Wilson asked whether the original set of minutes is available, that came from the transcription service before City Staff made any additions or deletions. Ms. Blaeser confirmed this.

Councilmember Wilson stated she would be interested in seeing those minutes and comparing them to these minutes.

Ms. Whitmore stated this is a conversation for the City Council’s annual workshop, to ensure that the City Council is getting the preferred type of summary from the transcription service. She added this would be a Council decision that would require a majority vote. She noted a motion could be made to postpone action on the April 13, 2022 minutes to be reviewed by the City Council at the next regular meeting.

Ms. Whitmore cautioned the City Council with regard to going beyond the expertise provided by the transcription service.

Councilmember Santini requested the following correction to the April 13, 2022 City Council meeting minutes:

-Page 4, Motion to Approve Consent Agenda, replace “Councilmember Date” with “Councilmember Santini”
Councilmember Wilson moved, seconded by Councilmember Santini,

To adopt a motion postponing approval of Consent Agenda Item 6A from the April 13, 2022 Council minutes until the City Council’s May 11, 2022 meeting, at which time the City Council will review comments that Councilmember Wilson requests for inclusion under Consent Agenda Item 6F (Resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, for construction administration services for the Air Lake Addition Utility & Street Improvements Project) and Discussion Item C (Amendment to CD-COUNCIL-2.9 City Council Compensation; City Code Amendment Chapter 2 Administration, Article II, Section 2.21 – Mayor and City Council Compensation).

Voting via voice:

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

Councilmember Wilson agreed to provide a summary for the City Council’s review before the May 11, 2022 meeting.

Councilmember Wilson requested that the original minutes submitted by the transcription service be provided by City Staff for City Council Review. Mr. Gridley asked whether the City Council agrees with this request. There was a majority consensus of the City Council to request that City Staff provide the original version of the April 13, 2022 City Council meeting minutes for City Council review.

D. Consent Agenda Item 6B - Ordinance of the City of Woodbury, Washington County, Minnesota providing that the City Code be amended by amending Chapter 4, Alcoholic Beverages, Article I, in General, Section 4-12 License Required; Article II Intoxicating Liquor; Section 4-28 Food Sales

Councilmember Wilson stated the City sent a survey to 29 businesses and received 14 responses, 13 of 14 said this was not an issue. She asked why the food to alcohol ratio is being reduced when the majority indicated it was not a barrier. She added there is concern that if the ratio is lowered, that will open up the City to different types of businesses as opposed to restaurants.

Community Development Director Janelle Schmitz stated this issue was reviewed by the Economic Development Commission, and they felt strongly that a 20% reduction would reduce the perceived barrier of entry for new restaurants that want to open in Woodbury, and would be more inclusive and welcoming to new businesses opportunities. She added that still holding food sales at 30% would be significant enough to discourage bars and nightclubs.

Mayor Burt stated the EDC is looking for ways to improve economic development and provide additional flexibility as well as a better, more achievable ratio.

Mr. Gridley stated the City Council reviewed this issue during the pandemic and supported local businesses in various ways, and this option came up as an opportunity to lower a barrier without giving up important standards.

Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following ordinance

Ordinance 2020
Ordinance of the City of Woodbury, Washington County, Minnesota providing that the City Code be amended by amending Chapter 4, Alcoholic Beverages, Article I, in General, Section 4-12 License Required; Article II Intoxicating Liquor; Section 4-28 Food Sales.

Voting via voice:

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

Closed Session

Mayor Burt stated that pursuant to the provisions of Minnesota State Statute section 13(d).05 Subdivision 3b, and based on the advice of the City Attorney, she recommended that the City Council hold a closed City Council meeting. The matters to be discussed are related to a contested case regarding Duty Disability Benefits Determination under Minn. Stat. § 13D. 05, subd. 3(b).
The reason for this City Council action to close the meeting is to discuss Susan Banick vs. the City of Woodbury, a litigation matter pending before the Office of Administrative Hearings in relation to Ms. Banick’s position and duty benefits regarding her former employment as a Police Officer for the City. The City Council’s basis to close the meeting results from the City Council’s conclusion that purposes of the attorney-client privilege necessitate candid legal advice and discussion of litigation strategies legal counsel in a closed session. If any formal action by the City Council is necessary, following receipt of legal advice from counsel, the action will be conveyed and taken when the City Council returns to open session.

Councilmember Morris moved, seconded by Councilmember Date, to hold a City Council closed meeting for the purposes previously stated.

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

Reconvene Regular Meeting and Take Action

Mayor Burt moved, seconded by Councilmember Morris, to reconvene the City Council meeting.

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

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt a motion approving the settlement and release agreement between the City of Woodbury and Susan Banick.

Voting via voice:

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

Staff Reports

City Administrator’s Report

Mr. Gridley reviewed the following upcoming meetings:

- May 2, 2022 - Planning Commission meeting
- May 3, 2022 at 7:00 p.m. – Parks & Natural Resources Commission in Ash North and South Conference Room
- May 5, 2022 at 7:30 a.m. – Business Celebration at Central Park Amphitheater
- May 9, 2022 at 6:00 p.m. – Neighborhood Meeting for Woodlane Drive Park & Ride in Council Chambers
- May 11, 2022 at 7:00 p.m. – City Council meeting

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 9:46 p.m.

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

Respectfully submitted,

________________________
Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on May 11, 2022