

Minutes
Woodbury City Council
Wednesday, May 12, 2021

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 May 2021.

Call to Order

Mayor Anne Burt called the meeting to order at 7:30 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 (attending remotely), and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; Mary Tietjen, City Attorney.

Special Order of Business

A. Report on April 28, 2021 closed session regarding Labor Negotiations

City Attorney Mary Tietjen stated the City Council met in Closed Session pursuant to Minnesota Closed Meeting law to discuss labor relations negotiations, as all three of the City's labor agreements conclude at the end of 2021. She added the purpose of the Closed Session was to provide an overview and receive City Council direction on potential negotiation strategies. She noted City Staff provided information on wages and other factors, and the City Council directed City Staff to proceed with the negotiations.

B. 2021 Emergency Medical Services Week Proclamation

Mayor Burt read the Proclamation declaring May 16-22, 2021 as Emergency Medical Services Week in the City of Woodbury. She thanked all staff and employees who provide emergency services to 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.

Connie Paquette, 1115 Scarborough Lane, stated her question is related to the Gold Line. She added she understands that the Met Council is driving the initiative. She asked whether Woodbury City leadership has been involved and provided approvals. She noted she cannot imagine the Met Council could do something in the City of Woodbury without City Council approval. She requested information regarding votes that were taken, and who voted for or against the proposal.

Ms. Paquette stated the City of Lake Elmo initially approved the Gold Line in their community, but the City Council voted again after they heard from constituents, and on a 3-2 vote decided against the Gold Line. She asked whether the Woodbury City Council would entertain a vote after asking for a vote from constituents. She added this is a major initiative with tax ramifications, and the money is coming from taxpayers.

**City Council Meeting Minutes
Wednesday, May 12, 2021**

Mayor Burt stated this issue has come up at recent meetings. She added City Staff can provide Ms. Paquette with answers, although there is a very detailed FAQ on the City website regarding this issue. She noted this project has been in the works since 2007, and the financial components are driven by the Met Council, Washington County and Ramsey County, with major funding from the federal government.

Mayor Burt stated there is a record of all actions taken on this issue by Woodbury City Councils over the years. She added she does not believe it is possible to consider a re-vote at this point. She noted the City's role is to ensure that the Station Area Master Plan meets all requirements of and is satisfactorily completed for the City of Woodbury.

Mayor Burt stated there have been many meetings and actions taken related to this issue in Woodbury over the years, including 13 City Council Workshops, 14 City Council meetings, 2 Economic Development Authority (EDA) meetings, 13 articles in the City Update newsletter since 2011, 20 social media posts, information posted on the City website, information on the Gold Line website, and the Woodbury Gold Line Master Plan. She added there has been a lot of public comment taken throughout the process. She noted additional comment can be directed to the Met Council or Washington County. She requested that City Staff provide information on all applicable Resolutions for Ms. Paquette's review.

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 – April 28, 2021

Item B To adopt the following resolution

Resolution 21-81

Resolution of the City of Woodbury, Washington County, Minnesota, selecting Kohout Inspections, LLC as the City of Woodbury's Electrical Inspector and authorizing the Mayor and City Administrator to execute an Agreement for Electrical Inspection Services with Kohout Inspections, LLC, subject to the approval of the City Attorney.

Item C To adopt the following resolution

Resolution 21-82

Resolution of the City of Woodbury, Washington County, Minnesota, approving the City of Woodbury 2021 Annual Action Plan.

Item D To adopt the following resolution

Resolution 21-83

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, authorizing preparation of a Preliminary Report and Plans and Specifications for the Dale Road improvements from Radio Drive to Copper Ridge Drive.

Item E To adopt the following resolutions

Resolution 21-84

Resolution authorizing acceptance of Coordinated Capital Improvement Program Grants from South Washington Watershed District for Pioneer Park Improvements and approving budget amendments; and

Resolution 21-85

Resolution authorizing acceptance of Coordinated Capital Improvement Program Grants from South Washington Watershed District to replace a retentive air street sweeper and approving budget amendments; and

Resolution 21-86

Resolution authorizing acceptance of Coordinated Capital Improvement Program Grants from South Washington Watershed District for Stormwater Best Management Practice Maintenance and approving budget amendments; and

**City Council Meeting Minutes
Wednesday, May 12, 2021**

Resolution 21-87

Resolution authorizing acceptance of Coordinated Capital Improvement Program Grants from South Washington Watershed District for 2021 Vegetation Management Project and approving budget amendments.

Item F To adopt the following resolution

Resolution 21-88

Resolution of the City of Woodbury, Washington County, Minnesota Accepting the gift of \$15,000 from the Madison Claire Foundation through the Reeve Foundation, to the City of Woodbury towards the purchase of accessible picnic tables, an adult changing table and a play component to be placed at Madison's Place and Wedgewood Heights Park playground.

Item G To adopt the following resolution

Resolution 21-89

Resolution of the City of Woodbury, Washington County, Minnesota Entering a Playground Equipment Removal Agreement with Kids Around the World for removal and disposal of the Wedgewood Heights Park play structure and authorizing the Mayor and City Administrator to sign said agreement.

Item H 2021 Parks Pavement and Asset Replacement Project; Contract Award. This item was pulled from the Consent Agenda and moved to discussion.

Item I To adopt the 2022 – 2026 Capital Improvement Plan. This item was pulled from the Consent Agenda and moved to discussion.

Item J To adopt the following resolution

Resolution 21-90

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the purchase of the Public Safety squad and body worn cameras and to authorize the Mayor and City Administrator to sign necessary agreements.

Item K To adopt the following resolution

Resolution 21-91

Resolution of the City of Woodbury, Washington County, Minnesota approving a Memorandum of Understanding between the City and the Professional Fire Fighters of Woodbury IAFF Local 5178 approving an additional provision for probationary periods.

Item L **The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the Mayor and City Administrator are hereby approved. Staff recommends approval of the abstract of bills for April 23, 2021 in the amount of \$874,486.35 and April 30, 2021 in the amount of \$666,176.12.**

Mayor Burt moved, seconded by Councilmember Santini, to approve the Consent Agenda items, with the exception of Items H and I.

Voting via voice:

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

Public Hearings

No items scheduled

**City Council Meeting Minutes
Wednesday, May 12, 2021**

Discussion

- A. Consent Agenda Item H. Award the contract for the 2021 Parks Pavement and Asset Replacement Project for Bid Items 1, 2, 4, and Bid Alternate 1, to Pine Bend Paving, Inc., with a net bid of \$513,890.00 and authorizing the Mayor and City Administrator to sign said contract.**
- B. Consent Agenda Item I. Adopt the 2022 - 2026 Capital Improvement Plan. This item was pulled from the Consent Agenda and moved to discussion.**

Karen O'Hearn, 9278 Cornell Circle, stated she pulled Consent Agenda Item 6I for discussion. Ms. O'Hearn stated she has received many phone calls and texts from neighbors expressing concern about the Gold Line coming through Woodbury. She added she has compiled articles regarding Metro Transit Police and crime, which note that, in 2020, there were more than 3,000 crimes recorded on Transit light rail, despite a drop in ridership of 95.7%. She noted Mayor Burt has said that she would not ride the transit light rail frequently, and she spoke for Councilmember Morris as well. She agreed that she would not be riding the bus rapid transit (BRT) either.

Ms. O'Hearn stated concerns for safety may not affect some local community members, but it may affect those who choose to use BRT, as well as people who live along the route and local businesses on Bielenberg Drive. She added the City Council has indicated that the City of Woodbury is only a participant in the project, responsible for landscaping and lighting. She asked who will protect residents when the \$531.9 million project comes through Woodbury.

Ms. O'Hearn stated, under Item II, the Capital Improvement Plan shows expenditure projections of over \$3.1 million for landscaping and lighting, as well as \$2 million for pavement overlay and trail expansions, but no funding for public safety. She added people are afraid to bring this up because they do not want to be labeled. She noted residents have a constitutional and God-given right to feel safe. She asked what measures will be put in place to keep residents safe, when there will be an increase in crime due to the BRT.

Mayor Burt stated this issue is more appropriate under the Open Forum.

Ms. O'Hearn asked why public safety is not being addressed in the CIP. Mayor Burt stated public safety does not fall under Capital Improvements.

Ms. O'Hearn agreed that she should have spoken during the Open Forum portion of the meeting.

Councilmember Wilson stated, with regard to Agenda Item 6I, she does not fully support two Capital Improvement funds: the Gold Line and the parks and trails replacement fund. She added funding was already determined for the replacement fund. She requested that the budget be reviewed to determine where money has been going for the replacement plan that was already set.

Councilmember Wilson stated Agenda Item 6H relates to bid items in the parks and trails replacement fund for Shawnee Park and Evergreen West Park. She added previous years' Capital Improvement Plans have identified funding for parking lot replacements. She asked why replacement projects are being moved to a new fund that does not have any funding in it. She requested a review of capital improvements that are already budgeted for, to move funds over to the parks and trails fund.

Councilmember Wilson stated, under the parks and pavement asset replacement project, both Shawnee and Evergreen West qualify for CDBG funds. She asked whether the City could pursue CDBG funding for those projects and look more closely at funding for other areas that have already been budgeted for.

Mayor Burt stated the City Council agreed to create a parks and trails replacement fund, so funding could more easily be moved over to capital improvement projects.

Councilmember Wilson stated the parks and trails replacement fund is a property tax levy, and money was not moved over. Mayor Burt stated it has been levied in the past as an expiring debt, but now it is set up as its own fund.

Councilmember Wilson asked whether the parks and trails replacement fund should increase from year to year instead of remaining static in the capital improvement fund. Councilmember Date stated the City might not want to increase it from year to year. She added there are placeholders in the capital improvement plan that have not yet been levied, and the City Council could choose to keep it steady or approve an inflationary increase. She added this fund will have an alternative funding source as well, and the City Council can decide whether an increase is needed.

Victor Ledesma, 2879 Aldrich Trail, requested confirmation that the only funding the City is committing to the Gold Line, and will commit in the future, is for lighting and landscaping. He asked what the ultimate cost will be for homeowners in Woodbury.

Mayor Burt stated she appreciates the question. She added that this item would be more appropriate for Open Forum.

**City Council Meeting Minutes
Wednesday, May 12, 2021**

City Administrator Clint Gridley referred Mr. Ledesma to the City website, where there is a comprehensive FAQ document. He added he can email the FAQ link to Mr. Ledesma directly. He noted great efforts have been made by City Staff to add information to the City website regarding the Gold Line, and additional information is available on the County website and the Gold Line website.

Mr. Gridley stated, although the City is not the primary agency making decisions regarding the Gold Line, the City Council has decided to ensure that the Gold Line within Woodbury is appropriately lit and landscaped at the City's expense, to ensure the desired aesthetic and encourage safety and visibility. He added lighting and landscape plans have been proposed as part of the Station Area Master Plan. Mr. Gridley noted the City will be getting a number of benefits from the Gold Line project, including the paving of Bielenberg Drive. He encouraged residents to contact the Washington County Commission, the financially responsible party for this project, working with the Met Council and other entities.

Mr. Gridley stated the City's participation in the process over the course of the last 15 years or so includes numerous public meetings, resolutions and affirmations in preparation for the project's commencement next year. He added there have also been numerous meetings by Gold Line project office as well as the local Chamber of Commerce, which was the initial leading sponsor of the proposed project.

Action on Consent Agenda Item 6H: 2021 Parks Pavement and Asset Replacement Project; Contract

Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 21-92

Resolution of the City of Woodbury, Washington County, Minnesota awarding contract for 2021 Parks Pavement and Asset Replacement Project for Bid Items 1, 2, 4, and Bid Alternate 1, to Pine Bend Paving, Inc., with a net bid of \$513,890.00 and authorizing the Mayor and City Administrator to sign said contract.

Voting via voice:

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

Action on Consent Agenda Item 6I: Adoption of 2022-2026 Capital Improvement Plan

Councilmember Date moved, seconded by Councilmember Santini, to adopt the 2022 – 2026 Capital Improvement Plan.

Voting via voice:

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

Additional Virtual Open Forum Comments

The additional virtual open forum is a portion of the Council meeting where the City Council will allow persons (maximum of three), attending the Council meeting virtually, to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to submit a question or comment virtually via the Q&A chat feature may do so on the right side of the live event screen. Please provide your name and address with your question for the official record.

City Clerk Kim Blaeser provided a comment from Christina Valdivia, Wildlife Management Services stating the following:

“What steps can be taken to amend City Ordinance Chapter 5, Article 1, Section 51 – Trapping Animals? As a wildlife business owner, we cannot realistically follow this Ordinance. We are hired by residents to take care of an issue, i.e. squirrels in someone's home. The issue is that this Ordinance states that live traps need to be checked every 12 hours. That is unrealistic for any company to accomplish, much less the local animal control officers. We have a license from the Minnesota Department of Natural Resources (Mn-DNR) to check traps every 24 hours. We are asking the city of Woodbury to amend language to exempt businesses from the 12-hour requirement in the Ordinance. We cannot continue to service the City of Woodbury should this Ordinance not be amended, and if we do service citizens of Woodbury, it will be for a higher price.”

**City Council Meeting Minutes
Wednesday, May 12, 2021**

Mayor Burt acknowledged receipt of the comment and stated that a response would be forthcoming.

City Administrator's Report

Mr. Gridley stated a number of charitable gambling requests have been received by the City, as a result of last year's decision to encourage charitable gambling as a way to support struggling local businesses, particularly restaurants. He added it is encouraging to see businesses and non-profit organizations benefiting from this initiative.

Mr. Gridley stated residential construction remains strong, with 176 new single-family homes to date in 2021 compared to 82 homes in 2020. He expressed his appreciation for the hard work and efforts of Chief Building Official Scott Richardson and Community Development Director Janelle Schmitz.

Mr. Gridley stated the building permit for Chick-fil-A is in, but no further information is available about when it will be completed.

Mr. Gridley stated the Mayor and Community Development staff will be celebrating the Business Investment Awards and New Commercial Awards.

Mr. Gridley stated the City is anticipating the return of Parks & Recreation events and programs. The Sports Center will be hosting Breakaway Academy, an educational option for hockey players.

Mr. Gridley stated the Multicultural Advisory Committee (MAC) recently had a very active meeting with group discussions regarding equity in policing and community perceptions. He added these were deep heartfelt conversations that were gratifying for all participants. He noted City Staff is grateful for the work of MAC member Shawn Sorrell for his hard work and efforts.

Mr. Gridley stated the City of Woodbury continues to be recognized as a Tree City USA for its tree planting and management program. He added the Watershed District recently awarded the City almost half the cost of the street sweeper, or \$144,000, which is a significant grant. He thanked City Staff who submitted the grant application, and the South Washington Watershed District for providing the grant funding.

Mr. Gridley stated he is pleased to confirm that Woodbury's 4th of July event will be held this year. He added there will be fireworks and food trucks, although a band has not been scheduled due to uncertainty regarding State restrictions, but some type of music will be provided. He noted a number of other local community gatherings have already been booked as things are starting to get back to normal.

Mr. Gridley stated the May Planning Commission meeting will include a request for a Planned Unit Development for Astra Landing; a request for rezoning from Caliber Collision for the old Goodwill building; and a discussion regarding the commercial vehicle Ordinance.

Mr. Gridley stated next week's City Council Workshop will be held at Ojibway Park to discuss the City's pedestrian plan and the Central Park project as well as review City's strategic initiative focused on ensuring that parks and trails meet the needs of a growing and changing community.

Mr. Gridley stated City Council's next meeting is scheduled for May 26, 2021 at which the three Planning Commission items will be reviewed. He added the Economic Development Commission meeting is scheduled for May 25, 2021 at 7:30 a.m. in the Ash and Birch Conference Rooms.

Adjournment

Councilmember Date moved, seconded by Councilmember Santini, to adjourn the meeting at 8:21 p.m.

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

Respectfully submitted,

Kimberlee K. Blaeser

Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on May 26, 2021