

**Minutes**  
**Woodbury City Council**  
**Wednesday, June 9, 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 9<sup>th</sup> day of June 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](mailto: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 (joined the meeting online and was experiencing technical difficulties that were corrected at 7:44 p.m.), and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaaser, City Clerk; Clinton Gridley, City Administrator; Janelle Schmitz, and Police Chief Lee Vague.

**Special Order of Business**

No Items Scheduled

**A. 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.

Bill O'Hearn, 9278 Cornell Circle, read a letter from Kathryn Gustavson, 3959 Homestead Drive.

"The BRT has been a hot topic at Council meetings the past few weeks. I understand the land is owned by the Met Council and you as Mayor do not have direct say over this project. You can come up with solutions of how this will affect our community. It has been stated in the FAQ and Master Plan how security will be handled but it has not been addressed what you will be doing for crime prevention in surrounding neighborhoods. A study at the University of Akron in 2015 showed an increase in property crime in neighborhoods next to the Cleveland Bus Line after it was constructed. Almost every day in Woodbury we hear about cars being broken into, and crime. There is an apartment complex down the block from the future building site which does not have garages for its vehicles. Are the residents to expect that their cars will be broken into?

It has also been stated that the bus line will provide job opportunities for non-residents. What if they choose to move here? Our schools are already beyond capacity. When I graduated from East Ridge High School in 2019, classes were being held in makeshift classrooms. There is a proposed affordable housing complex in Maplewood, and some of those students will be sent to Woodbury schools. We have neighborhoods being built, but the fact is we are running out of room for all these children to have a comfortable learning environment. It has been voted on before to add a wing to the high schools in District 833, or build a new school, but these options have been denied. What is the Mayor of Woodbury doing to vouch for our children so they have a learning environment they can flourish in? My issue is not the BRT itself but the after-effects that it will cause our community.

I reached out to Mr. Gonzalez, the District Met Council Member, but was notified by Peter Graston, the east metro communicator, that Mr. Gonzalez is out indefinitely with a medical issue. I was told another member would reach out to me, but that did not happen. It feels like there is a lack of importance about Woodbury on the part of the Met Council.

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Lake Elmo was able to reject the BRT in their community, and Woodbury residents deserve to be able to vote on its implementation. Thank you for your time.”

Karen O’Hearn, 9278 Cornell Circle, stated their daughter is a community information specialist in Wisconsin, implementing programs and projects in community, and sitting on numerous boards. Her daughter asked what the driving force behind the BRT is. Ms. O’Hearn told her daughter she believes it is the bridge from Woodbury to Oakdale, and provision of an inclusive community. Her daughter said that the bridge should not be dependent upon the BRT.

Ms. O’Hearn stated Mayor Burt has mentioned participation in the Highway 494/694 interchange. She added surely the federal government and Washington County would fund a \$10 million bridge to go over the freeway from Woodbury to Oakdale.

Ms. O’Hearn stated a young man spoke at the last meeting about the importance of continuous service to provide customers and workers to the east metro. He spoke about the need for transportation for people who do not have cars to get to entry-level jobs. Next week, Bus Line 323 will start running from 6:00 a.m. – 11:00 p.m., and it will be more versatile than the Gold Line, saving taxpayers millions of dollars. She added there is no need to build and maintain 3 transit stations, or a parking ramp for 500-800 cars. It will save our neighborhood movie theater.

Ms. O’Hearn stated the young man spoke about the aging Woodbury population. The Gold Line will be the most expensive mass transit in Minnesota, and Met Transit is asking taxpayers to contribute to the \$47 million shortfall. She asked how the aging population will support a failing mass transit system on a fixed income.

Ms. O’Hearn stated the young man spoke about the impact that the Covid pandemic has had on our businesses. She stated the City could use the money that would be saved to support struggling small businesses.

Ms. O’Hearn stated, at its May 26 meeting, the City Council voted to pledge \$5.1 million in landscaping, lighting, and overlays for the BRT. Washington County has pledged \$145 million, as well as \$25.4 million in the 216 Metro Gold Line fund. Money can be repurposed; for instance, HF 2470, a bill that proposed to shut down the North Star line due to financial failure and give \$11.4 million back to struggling businesses.

Ms. O’Hearn stated we need to pause, re-evaluate the \$531.9 million BRT proposed to come through Woodbury. It would be financially and fiscally irresponsible for our City to participate in this project when we could build a \$10 million bridge connecting Woodbury to Oakdale using Federal and County funds, achieving the same purpose and more than the BRT. The money earmarked for the BRT could be used to rebuild small businesses in the community, making Woodbury the thriving City it once was.

Mayor Burt stated, for purposes of clarification, the City’s ability to vote on this project occurred in November 2016, when the City Council adopted a resolution approving the current alignment along Bielenberg and Guider Drive. Since that time, the City Council has adopted several resolutions supporting the project and approving technical agreements between the City and the Met Council as the project continues to move toward construction. There are no further alignment actions for the City on this project. The project is being run by Gold Line Project Office, both Washington and Ramsey Counties, and the Met Council.

Mayor Burt stated, while she appreciates all the residents’ feedback and comments, any action is beyond the scope of what the City is able to do right now. She encouraged residents to communicate directly with the Met Council and County Commissioners regarding issues of funding and operations. The City’s role at this point is to ensure the project meets City infrastructure and service needs. Resident input is welcome on Woodbury’s Gold Line Station Area Master Plan.

Mayor Burt also wished to clarify that the movie theater building and land are owned by the Met Council, and the lease agreement is between the theatre owners and the Met Council. She added that the theatre owner recently signed a 5-year lease extension and continues to operate the business at the same location.

**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 6H and 6K be removed for further discussion.

Item A Approval of Council Minutes – May 26, 2021

Item B To approve Wooddale West; Amended Development Agreement; Project No. 02-2019-00345

Item C To adopt the following resolution **Resolution 21-108**

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**Resolution of the City of Woodbury, Washington County, Minnesota accepting grant funds from the Minnesota Department of Health in the amount of \$10,000 and approving the associated budget amendment.**

- Item D To adopt the following resolution **Resolution 21-109**
- Resolution of the City of Woodbury, Washington County, Minnesota authorizing administrative execution for operations and maintenance agreements and license agreements related to stormwater requirements for private infrastructure.**
- Item E To adopt the following resolution **Resolution 21-110**
- Resolution of the City of Woodbury, Washington County, Minnesota adopting the Minnesota Department of Health approved City of Woodbury Wellhead Protection Plan.**
- Item F To adopt the following resolution **Resolution 21-111**
- Resolution of the City of Woodbury, Washington County, Minnesota authorizing execution of the agreements with South Washington Watershed District and Washington Conservation District for MS4 inspections.**
- Item G To approve reschedule of August 18, 2021 Council Workshop Meeting to August 25, 2021 with the Council Workshop dinner to begin at 6:00 p.m. and the workshop meeting to begin at 6:30 p.m.
- Item H Approval to Revise CD-Council-2.8 Technology Reimbursement Council Directive. This item was pulled from the Consent Agenda and moved to discussion.
- Item I To adopt the following resolution **Resolution 21-112**
- Resolution of the City of Woodbury, Washington County, Minnesota appointing Jack Milbauer to the position of Police Officer effective June 10, 2021.**
- Item J To adopt the following resolution **Resolution 21-113**
- Resolution of the City of Woodbury, Washington County, Minnesota appointing Josh Kinney to the position of Parks Planner effective June 10, 2021.**
- Item K Resolution of Support for Central Park Remodel Project; Application for State Bond Money. This item was pulled from the Consent Agenda and moved to discussion.
- 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 is hereby approved.
- Staff recommends approval of the abstract of bills for May 21, 2021 in the amount of \$1,494,393.60 and May 28, 2021 in the amount of \$681,506.05.

Councilmember Date moved, seconded by Councilmember Santini, to approve the Consent Agenda items as amended, with the removal of Items H and K.

**Voting via voice:**

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

**Swearing in of New Police Officer Jack Milbauer**

**A. Meaning of the Badge – Public Safety Director/Police Chief Lee Vague**

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Police Chief Lee Vague introduced Jack Milbauer, who will be sworn in tonight as a Woodbury Police Officer. Officer Milbauer will be issued Badge #162 in the City's historical roster of Police badges. He added Officer Milbauer grew up in Woodbury, attended Woodbury High School, and came to the Department as an intern during college. He served as a Community Service Officer before being selected to serve as a Police Officer.

Officer Milbauer's cousin, John Anderson, pinned Badge #162 on Officer Milbauer.

**B. Oath – Mayor Burt and New Officer Jack Milbauer**

Mayor Burt swore in new Police Officer Jack Milbauer.

**Public Hearings**

No Items Scheduled

**Discussion**

**Consent Agenda Item H. Resolution of the City of Woodbury, Washington County, Minnesota revising Council Directive CD-COUNCIL-2.8 as the City's Official Technology Reimbursements Policy**

Councilmember Wilson stated, with regard to Consent Agenda Item 6H regarding the revised technology reimbursement for the City Council, she will be voting differently.

Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following resolution

**Resolution 21-114**

**Resolution of the City of Woodbury, Washington County, Minnesota revising Council Directive CD-COUNCIL-2.8 as the City's Official Technology Reimbursements Policy.**

**Voting via voice:**

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

**Consent Agenda Item K. Resolution of the City of Woodbury, Washington County, Minnesota in support of Central Park remodel project and application for State bonding.**

Councilmember Wilson stated she is not opposed to requesting bond funding, but in her heart, she has a problem with spending State funding and taxpayer money on items that are not budgeted for. She added \$3 million has been budgeted for this project, which is estimated at between \$11 and \$45 million dollars. She noted she has problems supporting a request when there is no budget.

Mr. Gridley stated adoption of this resolution is necessary for the City to be considered during the State 2022 fiscal process. He added they are parallel processes. He stressed the importance of taking the opportunity to compete for State bonding funding, which will help the City compete and work toward other projects.

Councilmember Date stated she is not sure which option she will support, but she is excited about the potential opportunity for State funding to relieve the burden on local taxpayers.

Councilmember Date moved, seconded by Councilmember Santini,

To adopt the following resolution

**Resolution 21-115**

**Resolution of the City of Woodbury, Washington County, Minnesota in support of Central Park remodel project and application for State bonding.**

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**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.

**Administrative Report**

**A. Transportation Report (2nd meeting of the month – May through October)**

**B. City Administrator’s Report**

Mr. Gridley provided an update on water quality and water quantity, consistent with the City’s strategic initiative. In terms of water quality, the water provided to residents and businesses meets current State and Federal guidelines and standards for landfill chemicals known as PFAS. Recent testing, however, has indicated that additional Woodbury wells are trending higher on their health index values with the possibility of receiving future health advisories from the Minnesota Department of Health, who monitor well water quality and determine when a health advisory is issued. In light of the recent test results, should additional wells receive advisories, the City is proactively taking action to ensure it can meet water quality standards and guidance values, along with the community’s water quality demands for 2022 and beyond.

Mr. Gridley stated the City Council was briefed on and they have directed City Staff to expedite the full build-out of our temporary treatment, which was designed to accommodate one additional water well for treatment. We have already issued purchase orders for treatment vessels, to be installed as quickly as possible. City Staff is working with State co-trustees regarding reimbursement.

Mr. Gridley stated the City is launching the process for constructing Well 20, which is planned in 2023 Capital Improvement Plan but is now being expedited. If needed, the proposed well site has space for an onsite temporary treatment plant. City Staff will be asking the City Council at its next meeting to authorize expansion of the January 2020 declaration to ensure the City can move quickly and efficiently to construct Well 20, and meet additional water quantity or quality needs towards implementation of a long-term solution.

Mr. Gridley stated recent dry, hot weather has meant an increase in water demand, and is expected to reach 18.5 million gallons per day today. He added this is the highest recorded use in more than 5 years. At approximately 23 million gallons per day, City Staff will begin communicating with residents about the possibility of a watering ban and follow a Council directive regarding watering restrictions beginning at 24.4 million gallons per day. Stated action levels are based on the current system-wide operation. Mechanical failures, should they occur, will shrink production capacities and accelerate communication and watering restriction actions. City Staff believes that the current usage reflects very well on the City’s water conservation initiatives and shows that residents are actively engaging with the City’s water strategic initiatives and goals.

Mr. Gridley stated City Staff will continue to advocate for the City’s residents and businesses in our work with the State to ensure that an effective long-term solution is implemented for protecting our water supply now and for future generations. Information will be posted on the City’s website under [www.woodbury.gov/pfas](http://www.woodbury.gov/pfas) to keep the public updated as the City of Woodbury continues to navigate this challenge.

Mr. Gridley stated the City Council has been very active ensuring communication regarding the PFAS situation, to build out Well 20, and install additional vessels at the temporary treatment plant. City Staff is engaging with the State co-trustees on this situation as it is developing.

Mr. Gridley reviewed the new bus service, Route 323, between St. Paul, Maplewood and Woodbury, which has been delayed due to Covid. The service will begin June 12, 2021, providing service between Sun Ray Shopping Center in St. Paul and Woodbury Village Shopping Center in Woodbury, with improved access to jobs, services, housing, and retail. Other destinations include Woodwinds health campus and the Valley Creek Mall.

Mr. Gridley stated Route 323 will operate along McKnight Road, Londin Lane, and Valley Creek Road. Route 323 will operate as a demonstration to evaluate the demand for all-day service to Woodbury providing daily half-hour service; 20-minute end and travel time; timed connections with Route 63 at Sun Ray Transit Center; and transfers to five other routes. At the Woodbury Theater Park and Ride, Route 323 customers will be able to transfer to and from Route 353 for express bus service to downtown St. Paul and downtown Minneapolis.

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Mr. Gridley stated the City Council continues to receive updates about residential construction, with 220 single family units to date in 2021 compared to 97 units at this time last year. Conversely, multi-family units are down to 12 from 263. There are currently a number of multi-family unit projects being built.

Mr. Gridley stated, with regard to environmental sustainability and resiliency initiatives, the City is participating with the University of Minnesota on a Resilient Cities project. The city was chosen to participate in this project through funding participation from the Met Council Comprehensive Plan Implementation Partnership. Through this partnership, City Staff has worked with students in two different classes on four projects related to the urban forest. Individual projects focus on incorporating traditional ecological knowledge into future planning efforts; acknowledging culturally significant trees in the community; building relationships with interested tribal nations around environmental stewardship; and equitable engagement. More information and the students' reports are available at [www.rep.umn.edu/spotlight/woodbury](http://www.rep.umn.edu/spotlight/woodbury).

Mr. Gridley stated the City has achieved steps 4 and 5 of the Minnesota Green Steps program for the third year in a row. During Step 5, the City must show improvement in at least 3 metrics, and demonstrate progress in sustainability. Woodbury is among 25 cities recognized for achieving Step 5 based on 2020 data.

Mr. Gridley stated Woodbury has shown improvement in 12 metrics, including energy use in city buildings; vehicle miles per gallon; number of public electric vehicle charging stations; number of trees planted by the City; stormwater-related management and climate adaptation; gallons of water used per job; number of renewable energy generation sites in the City; renewable energy purchases by the City, and greenhouse gas emissions in the city.

Mr. Gridley stated the City Council recently approved a comprehensive report of all sustainability, resilience and climate change efforts over the years. He added City Staff will begin work on this initiative shortly.

Mr. Gridley stated a record number of rounds of golf have been played in Woodbury so far this summer. Valley Creek saw a record number of rounds played compared to the last 20 years, and 1,000 more rounds than 2019, with 6,586 total rounds. Approximately 690 new memberships have been sold at Eagle Club. City staff are looking forward to summer golf programming, which is completely booked up. Women's Open golf began on June 3, 2021; junior players and junior lessons will begin in mid-June, Couples Night is scheduled for June 11, 2021.

Mr. Gridley reviewed upcoming City meetings:

June 21, 2021 – Planning Commission meeting, no items scheduled

City Council workshop – items for discussion include franchise fee draft ordinance and strategic initiative ensuring parks and trails meet the needs of a growing and changing community and funding direction.

June 23, 2021 – City Council meeting with 6 public hearings: Cub Store's wine and spirits; WJB Holdings liquor license; Hidden Meadow variance; Woodbury Baptist Church digital sign; Happy Place Conditional Use Permit; and commercial vehicle Ordinance.

June 14, 2021 at 6:30 p.m. in Ash North and South Conference Room - Gold Line Station Area Master Plan residential input opportunity

June 17, 2021 at 5:30 p.m. – virtual meeting – Gold Line Station Area Master Plan residential input opportunity

June 22, 2021, 7:30 a.m. in Ash North and South Conference Room - Economic Development Commission meeting

Mayor Burt asked where Well 20 will be located. Mr. Gridley stated there is a small plot in the Urban Village area north of Jerry's Foods, just west of the church.

Mayor Burt asked whether there is any sense of timing on the vessels for expanding the existing temporary treatment plant. Mr. Gridley stated the earlier prediction was 9 months, and he has not heard any change.

Mayor Burt asked whether there is room in the building for the vessels. Mr. Gridley confirmed this.

Councilmember Wilson asked whether PFAS is regulated by federal government, or if it a recommendation. Mr. Gridley stated it is not federally regulated, but that is under consideration. He added it is regulated by the State, and they require a Health Index Level at or below 1.

Councilmember Wilson asked whether they issue advisories or if they are authorized to shut down unsafe wells.

Mr. Gridley stated the State will close a well if it reaches a certain level, although the process begins with an advisory period.

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**Adjournment**

Mayor Burt moved, seconded by Councilmember Date, to adjourn the meeting at 8:18 p.m.

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

Respectfully submitted,

*Kimberlee K. Blaeser*

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Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on June 23, 2021