

Minutes
Woodbury City Council
Wednesday, June 28, 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 28th day of June 2023.

Call to Order

Mayor Anne Burt called the meeting to order at 7:05 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, Steve Morris, and Jennifer Santini. Absent: Andrea Date

Others Present: Kimberlee K. Blaeser, City Clerk; Kevin Sandstrom, City Attorney; Clinton Gridley, City Administrator; Annie Coyle, Assistant to the City Administrator/Deputy Clerk; Janelle Schmitz, Community Development Director; and Chris Hartzell, Engineering Director.

Special Order of Business

A. Introduction of Washington County Commissioner Michelle Clasen

Washington County Commissioner Michelle Clasen introduced herself by stating she began serving, as the County's District 5 representative as of January 2023. She noted the County is continuing review the newly passed legislation that will impact local government. She added she is excited to receive funding to help enhance efforts for affordable housing, public health, parks, transportation, public safety and elections. The County has several educational tours coming up and invited the Council to the Recycling and Energy Center tour on July 18, 2023 at 12:30-2:00 p.m.

Ms. Clasen explained Washington County conservation efforts with land and water legacy programs began in 2006. The program supported a number of joint partnerships. 39 land protection projects have been completed with over 1,300 acres protecting water, soil and wild life.

Ms. Clasen noted that Washington County is working on a strategic plan and updating the ground water plan and will ask the cities for feedback. She asked to be invited back after the preliminary budget is set in September in order to share and update on the budget and goals.

Ms. Clasen stated she looked forward to working on the R.H. Stafford Library essential park project, the Washington County/Woodbury Center and the Gold Line. The future projects include the South Shop Environment Center and Radio Drive and Hargis Parkway road improvement. The County had a grand opening for the green way trail connecting trails in the Lake Elmo Park Reserve to other parks and are looking to connect other Regional County trails in the future.

Mayor Burt asked when the water conservation tour would be. Ms. Clasen replied that they have not set the date yet.

Mayor Burt thanked Ms. Clasen for the update and mentioned the collaboration with the City and the County on the projects.

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B. Swearing in of New Police Officers Ryan Delgado, Carla Martinez, Thomas Mensing

1. Meaning of the Badge

Public Safety Director/Police Chief Jason Posel shared the meaning of the badge and called Ryan Delgado, Carla Martinez, and Thomas Mensing forward.

2. Oath – Mayor Burt and New Police Officers Ryan Delgado, Carla Martinez, Thomas Mensing

Mayor Burt presided over the swearing in of Police Officers Ryan Delgado, Carla Martinez and Thomas Mensing, after which they each had their badges pinned on by a family member or other important person in their life.

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.

Andy Friedt, 3565 Dakota Avenue, stated he lives close to Ridge Park and wanted to share about how much he and his children, Iris Friedt and Erik Friedt, enjoy Ridge Park. The park is scheduled to be replaced in the fall. The new park that will be install will have several features missing such as a fire pole, which his son enjoyed. He described the missing features and expressed his support for the current park.

Melissa Katz, 8326 Ashford Road, asked the Council to consider revising the replacement at Ridge Park. She said the neighbors are disappointed with the new park plans because it feels like a downgrade and will not hold the attention of children as well as the current one does now. When the new park was being planned, tire swings were out of stock but are currently back in stock. She asked if a tire swing could be included since the current park has one now. The new plan does not include stairs to the taller slides which reduces accessibility. The toddler area will be losing the second slide, a ride on vehicle, and a tunnel and does not include a plan to replace the items. If new parks are put in, they should be an improvement instead of a down grade. She asked if Parks and Recreation could look at the plan again to update the design. She thanked the Council.

Steve Zhang, 3590 Dakota Avenue, stated he had a similar issue about Ridge Park as the previous residents mentioned. He noted his excitement when he heard about the park being updated and was disappointed when he saw the details of the plan since it was a downgrade. He asked the Council to help to change the plan to make it a better park. He suggested to delay the upgrade until funds were available to do so. He added if the funds were not possible, to leave the park alone since the current park is better than the proposed park.

Daniel Kinny, 7857 Rimbly Road, stated it is a breath of fresh air moving to Woodbury and noted he appreciated the Council. He noted he was almost in a car accident while driving down Afton Road and Bielenberg Drive and asked if there could be additional stop signs included at the curve on Bielenberg Drive.

City Administrator Clint Gridley asked if Mr. Kinny was referring to north and southbound on Bielenberg Drive. Mr. Kinny agreed and noted north bound is more dangerous than southbound.

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 – June 14, 2023

Item B To adopt the following resolution

Resolution 23-108

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the naming of Arbor Ridge Park, Discovery Park, Conifer Glen Park, and Copper Hills Park.

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- Item C To adopt the following resolution **Resolution 23-109**
Resolution of the City of Woodbury, Washington County, Minnesota authorizing the acceptance of a \$20,000 grant by the Minnesota Department of Health (MDH) Statewide Health Improvement Partnership (SHIP) through Washington County to the City of Woodbury.
- Item D To adopt a motion authorizing the Mayor and City Administrator to execute an Agreement for Electrical Inspection Services with Kohout Inspections, LLC, an independent contractor, as approved by the City Attorney. The term of the Agreement shall run from July 1, 2023, to June 30, 2026.
- Item E To adopt the following resolution **Resolution 23-110**
Resolution of the City of Woodbury, Washington County, Minnesota approving the Cooperative Agreement with Ramsey Washington Metro Watershed District for enhanced street sweeping program in 2023 and amending the 2023 budget.
- Item F To adopt the following resolution **Resolution 23-111**
Resolution of the City of Woodbury, Washington County, Minnesota authorizing the acceptance of the \$8,720 donation from the Woodbury Community Foundation for the purchase of four AEDs and approve the associated budget amendment.
- Item G To adopt the following resolution **Resolution 23-112**
Resolution of the City of Woodbury, Washington County, Minnesota authorizing the purchase of 30 EMS response bags and supplies and establishment of a 2023 National Opioid Settlement Fund budget.
- Item H To approve the changes to the Council's July 2023 meeting schedule as follows:
 1. Cancel July 19, 2023 City Council Workshop dinner and reschedule to 6:00 p.m. on July 26, 2023
 2. Cancel July 19, 2023 City Council Workshop meeting and reschedule to 6:30 p.m. on July 26, 2023
 3. Cancel July 26, 2023 regular City Council meeting and reschedule to 7:00 p.m. on July 19, 2023
- Item I To approve issuing a Tobacco Sales License to Woodbury Tobacco & Vape Center Inc. dba Smokey's Tobacco & Vape Center for their location at 8484 Tamarack Bay, Suite 102.
- 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 June 9, 2023 in the amount of \$1,174,559.49 and June 16, 2023 in the amount of \$1,768,271.85.

Councilmember Santini moved, seconded by Councilmember Morris, to approve the Consent Agenda items.

Voting via voice:

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

Public Hearings

A. Continued from May 24, 2023 Council Meeting; Manning Avenue Apartments; Rezoning; Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 01-2022- 00510

Mayor Burt explained that the item is a continuation from the May 24, 2023 City Council Meeting and will not include much discussion. Staff recommended to continue the public hearing to July 19, 2023.

Councilmember Morris moved, seconded by Councilmember Santini, to approve to continue the Public Hearing to the July 19, 2023 City Council meeting.

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Voting via voice:

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

B. Tenacity Restaurant Group, Inc. dba Sweet Paris Creperie and Cafe, 265 Radio Drive, Suite K, On Sale Wine and Beer Liquor License including Sunday and Patio Sales

Mayor Burt declared the public hearing open.

Assistant to the City Administrator/Deputy Clerk Annie Coyle stated Tenacity Restaurant Group, Inc. dba Sweet Paris Creperie and Cafe has submitted an application for an On Sale Wine and Beer Liquor License for their restaurant located at 265 Radio Drive, Suite K. There are three corporate officers or individuals with financial interest in the corporation:

- Dustin Wetzel, President
- Peter Thelen, Treasurer
- Daniel Vansteenburgh

Ms. Coyle stated as required by City Code, a criminal history check as it pertains to liquoring licensing was conducted on each corporate officer and individuals with financial interest and no violations that would preclude the corporation from obtaining a liquor license were 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.

Tenacity Restaurant Group Treasurer Peter Thelen stated they are already in Woodbury and operate 45 Jimmy Johns in the Twin Cities including 3 in Woodbury. In addition, they have a new company doing Sweet Paris in order to provide the City with additional food options. The liquor license is an ancillary product for them in order to complement the crepes.

Mayor Burt asked what the timing was. Mr. Thelen stated they have received the building permit and have started construction with a target date of September.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Morris, Santini, Burt
Absent: Date

Mayor Burt opened opportunity for discussion and questions from the Council.

Councilmember Morris moved, seconded by Councilmember Santini, to approve an On Sale Wine and Beer Liquor License including Sunday and Patio Sales to Tenacity Restaurant Group, Inc. dba Sweet Paris Creperie and Cafe located at 265 Radio Drive, Suite K.

Voting via voice:

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

C. Yum! His LLC dba yum! Kitchen and Bakery, 8340 City Centre Drive, On Sale Wine and Beer Liquor License including Sunday and Patio Sales

Mayor Burt declared the public hearing open.

Ms. Coyle stated Yum! His LLC dba yum! Kitchen and Bakery has submitted an application for an On Sale Wine and Beer Liquor License including Sunday and Patio Sales for their restaurant located at 8340 City Centre Drive. There are two owners or individuals with financial interest in the corporation:

- Patti Soskin
- Robert Soskin

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As required by City Code, a criminal history check as it pertains to liquoring licensing was conducted on each corporate officer and individuals with financial interest and no violations that would preclude the corporation from obtaining a liquor license were 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.

Yum! Kitchen and Bakery owner Patti Soskin stated the Woodbury location would be the fourth and final location. She expressed her excitement of opening a location in Woodbury. Yum! Is a made from scratch restaurant and bakery and are opened from 8 a.m. to 8 p.m. The first restaurant opened 18 years ago in St. Louis Park. The Minnetonka location opened 8 years ago and the St. Paul location opened 1.5 years ago. The open date will be in September.

Mayor Burt asked to describe where the new location would be located. Ms. Soskin stated it is close to City Hall and near Punch Pizza and Patina. She added people will be working 24/7 at the restaurant since they make everything from scratch and bake the bread during the night.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Morris, Santini, Burt
Absent: Date

Mayor Burt opened opportunity for discussion and questions from the Council.

Councilmember Morris moved, seconded by Councilmember Santini, to approve an On Sale Wine and Beer Liquor License including Sunday and Patio Sales to Yum! His LLC dba yum! Kitchen and Bakery located at 8340 City Centre Drive.

Voting via voice:

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

Discussion

A. Adoption of 2024 – 2028 Capital Improvement Plan

Mr. Gridley stated the budget is in phases with the first phase being the Capital Improvement Plan (CIP). The Capital Improvement Plan goes from December to the summer. He noted this is the biggest CIP of his career. The guide for the CIP include an introduction, summary reports, department reports, and appendix. It is 5-year plan of priorities, timeframes and financing which helps with the budget creation and will be brought back to the Council in September. Projects will be further refined and updated, 2024 projects will be adjusted as necessary for the 2024 budget. The CIP is not an appropriation, it is a plan.

Mr. Gridley stated from FY24-FY28 the total cost is \$514,780,000 with the water improvement and the Public Safety building being a large portion of the funds. Several of the projects are to be determined due to being unsure on accurate costs because of inflation and the supply chain. Some of the fund balances will be under further review.

Mr. Gridley reviewed Council considerations from the workshop such as which projects to prioritize, which to delay and how to pay for them. He displayed a graph of the CIP expenditures by year and explained the 2024 bar was high since it is encompassing all 5 years of the plan. He explained there is a diversity of funding mechanisms. He mentioned the CIP project categories include public facilities, fleet and equipment, roads, parks & trails, utility infrastructure, developer driven infrastructure and water treatment implementation.

Mr. Gridley expressed his concern over a few funds with Municipal State Aid and Storm Water Utility. In the future, there may be more debt than there has been in the past. There will be future discussions with the Council regarding the stormwater utility rate and the water and sewer utility rate.

Mr. Gridley explained that the CIP was reviewed during the May 17, 2023 workshop and noted that there were changes that were included in the document. The Council will review it again when they see the budget. He mentioned that the Council would review it in September 2023, November 2023 and a final review in September 2024.

Mayor Burt stated the City has been a pay-as-you-go organization for a long time in order to avoid debt but sometimes it is not possible. While the big projects include a lot of money, it also requires a lot of Staff time.

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Councilmember Wilson asked if the development infrastructure is developer paid. Mr. Gridley replied that it is typically developer paid.

Councilmember Wilson asked to clarify that they were approving the plan, not the budget. Mayor Burt stated they were approving the plan. Mr. Gridley added that the Council will have an opportunity to review the budget and that the CIP is going to set up the budget. It will not be until December when the budget is adopted that the projects can move forward.

Councilmember Morris stated the infrastructure is not occurring before the development until the project is approved and budgeted.

Councilmember Wilson asked when it is an appropriate time to express her concerns on various projects. Mr. Gridley replied that she had brought the concerns up at the workshop and during the workshop about Central Park. He added that she can bring the concerns up now, and can recommend removal of those items at any time.

Councilmember Morris mentioned that the Council letter noted that the City would not pursue the grant for the Public Safety change vehicle and asked if it was because the grant was no longer available or if it was because there is additional Public Safety funding that is coming from the State. Mr. Gridley stated the particular vehicle did not qualify for the Public Safety State Aid but will have plenty of funding uses.

Councilmember Morris noted he would speak with Staff about concerns he had about the particular purchase in the plan.

Councilmember Santini moved, seconded by Councilmember Morris, to approve the 2024 – 2028 Capital Improvement Plan.

Voting via voice:

Kim Wilson – no
Andrea Date – absent
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

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

Engineering Director, Chris Hartzell stated the 2023 Roadway Rehabilitation project is on track to be completed in the fall of 2024. Woodbury Days and the Lion's Club garage sales have been accommodated for the project scheduling. The contractor has completed all of the concrete work and paved the first lift of asphalt on phases 1 and 2. The remaining restoration work for these phases are anticipated to be completed on July 7.

Mayor Burt asked if phase 1 on Courtly Road was facing west. Mr. Hartzell replied it was the eastern portion of Courtly Road but the photo was facing to the west.

Mr. Hartzell stated phase 3 and 4 of utility work has been completed with concrete curb and installation scheduled for this coming Friday. Removals for phases 5 and 6 are complete with water main replacement complete in phase 6. The phase 5 water main replacement started this past Monday and is anticipated to be complete at the end of July 2023. There are 12 phases scheduled to be completed in 2023 and the contractor has explained the work will go through fall of 2024..

Mr. Hartzell explained MnDOT is resurfacing the pavement and making other improvements to I-94. I-94 is reduced to 2 lanes in both directions from Woodbury Drive to the St. Croix River and between I-94, 494 and 694 interchange and Highway 120 Century Avenue. The on-ramp from Highway 120 and Century Avenue to eastbound I-94 is currently closed as well as the ramp from Highway 95 St. Croix Trail to westbound I-94. The ramps are scheduled to be open in late July.

Mr. Hartzell stated northbound 494 ramp to Lake Road is completed and opened again.

Mr. Hartzell mentioned the Metro Gold Line Bus Rapid Transit project is underway with most of the work in Woodbury occurring in 2023 and is currently on schedule with an overall completion of 2025. There is a 24-hour closure at Tamarack Road and Bielenberg Drive intersection from July 6 at 7:00 p.m. to July 7 at 7:00 p.m., access to local businesses will remain open and passable.

Mr. Hartzell stated the construction on the new Bielenberg Drive Bridge over I-94 began last fall with girders being installed until tonight, June 28th. While the girders are being installed, there will be overnight lane closures. The bridge is anticipated to be complete in late fall 2023 and will be open for vehicle traffic and pedestrians, but not the bus guideway. The Bielenberg Drive and Hudson Road intersection is closed for the summer with construction and is expected to be open in early November. Tamarack Road and Hudson Road is currently shifted to the east side of the road to allow for construction in the southbound lanes. These construction improvements include storm sewer, water main, and grading for a wet pond and infiltration basin. Project updates can be found at the Gold Line webpage.

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Mr. Hartzell explained Xcel Energy was doing a major gas line replacement along Valley Creek Road and Colby Lake Drive in order to upgrade the lines. All of the pipe work is complete, and the system has been pressure tested. The contractor is completing the repaving of the adjacent asphalt trails with the anticipated completion day occurring on the week of July 24, 2023. To learn more about active and future projects, sign up at woodburymn.gov/intouch.

Mayor Burt thanked residents for their patience during such a large project.

City Administrator's Report

City Administrator Clinton Gridley gave a verbal update of upcoming City meetings.

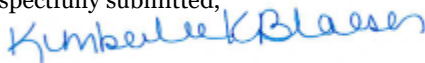
- There are no neighborhood meetings scheduled.
- July 11, 2023 – Parks and Natural Resources Commission, 7:00 p.m., Ojibway Park Building, 2695 Ojibway Drive.
- July 17, 2023 – Planning Commission meeting
- July 19, 2023 – Public Hearing for Manning Avenue Apartments (Woodbury Commons Apartments), Rezoning, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 01-2022-00510.

Adjournment

Mayor Burt moved, seconded by Councilmember Morris, to adjourn the meeting at 8:09 p.m.

Voting in Favor: Wilson, Morris, Santini, Burt
Absent: Date

Respectfully submitted,



Kimberlee K. Blaaser, City Clerk

Approved by the Woodbury City Council on July 19, 2023