

Minutes
Woodbury City Council
Wednesday, July 27, 2022

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 July 2022.

Call to Order

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

Mayor Burt welcomed those listening and attending. She said members of the public may attend the meeting but will be required to comply with social distancing parameters as determined by the City. Members of the public may also join the meeting using a PC, Mac, iPad, iPhone or Android device. Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting. Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. via email council@woodburymn.gov or call 651-714-3524 and leaving a voicemail message.

Pledge to Flag

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

Roll Call

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Kim Wilson, Andrea Date, Steve Morris, and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Janelle Schmitz, Community Development Director; Tony Kutzke, City Engineer; Jason Schirmacher, CFO/Controller; and Kevin Sandstrom, City Attorney.

There were six members of the public in attendance and three members of the public attending virtually.

Special Order of Business

A. Review of 2021 Audit and Annual Comprehensive Financial Report

Jackie Knowles, BerganKDV, presented a summary of results of the 2021 Audit and Annual Comprehensive Financial Report. The audit presentation was received by Woodbury's Audit and Investment Commission in July 2022. An unmodified or clean opinion has been provided, and the Annual Comprehensive Financial Reporting Award, which was received by Woodbury in 2020, is also anticipated for the 2021 report.

Ms. Knowles reviewed government funds revenue and expenditures per capita as well as tax capacity, levy and rates.

Mayor Burt thanked Ms. Knowles for the summary report. She expressed appreciation for the work of the Audit and Investment Commissioners and City Staff.

Councilmember Santini moved, seconded by Councilmember Morris, to accept the 2021 Audit and Annual Comprehensive Financial Report.

Voting via voice:

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

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.

**City Council Meeting Minutes
Wednesday, July 27, 2022**

Travis Beck, 700 Olive Street, St. Paul, representing North Central States Regional Council of Carpenters, stated many of the carpenters and workers represented by Local 548 Millwrights live and work in Woodbury, installing and maintaining industrial machinery. A new facility is being built in Woodbury by Amazon, which does not support local millwrights, and has hired out of town contractors for machinery installation for their Woodbury project. Amazon is not paying standard area labor wages and benefits and did not contact local contractors for bids. Approximately 150 non-local workers are being employed by Amazon for the Woodbury facility, which represents \$5 million in wages and benefits. Local millwrights could have benefited greatly by keeping the wages and benefits here, and future conversations should be considered to ensure good paying local jobs for a stronger Woodbury.

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 F and K be moved to Discussion.

Item A Approval of Council Minutes – June 15, 2022

Item B Approval of Minutes – June 29, 2022

Item C To adopt the following ordinance **Ordinance 2022**

Ordinance of the City of Woodbury, Washington County, Minnesota, amending Chapter 16 – Parks and Recreation; Section 16-36 – Definitions; Section 16-40 - Hours and access; Section 16-46 – Bicycling; Section 16-52 - Hunting, fishing and molesting wildlife; Section 16-53 – Fires; Section 16-59 - Alcoholic beverages; Section 16-67 - Traffic rules; and Section 16-68 – Tobacco.

Item D To adopt a motion approving Royal Gateway Addition, Final Plat, Project No. 01-2022-00492, and authorizing the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 22-194.

1. All conditions of the Planned Unit Development, Site and Building Plan and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements and ROW to match the street and utility plans being prepared by the City's consultant engineer.
3. The final street names shall be reviewed and approved by the Building Official.
4. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney's plat opinion.
5. Prior to the release of the Final Plat for recording, the City Engineer shall review and approve the final construction plans. The Developer shall privately construct and wholly fund all identified improvements including the turn lanes and other required traffic improvements along Hudson Road.
6. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code. This includes participation for public infrastructure including storm sewer, water, sanitary sewer and transportation infrastructure.
7. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
8. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements shall be granted to the City at no cost or paid for by the Developer.
9. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.
10. The Final Plat shall be recorded prior to issuance of a building permit.

Item E To adopt the following resolution **Resolution 22-146**

Resolution of the City of Woodbury, Washington County, Minnesota accepting grant funds from Washington County for the 2022 Municipal Recycling Grant and approving the associated budget amendment for municipal recycling grant distribution.

Item F Air Lake 2nd Utility and Street Improvements (Private Construction); Consultant Selection. This item was removed from the consent agenda and moved to the discussion portion of the meeting.

**City Council Meeting Minutes
Wednesday, July 27, 2022**

- Item G To adopt the following resolution **Resolution 22-147**
Resolution of the City of Woodbury, Washington County, Minnesota approving the purchase of two Braun Industries BA35 Chief XL Ford E450 ambulances from North Central Emergency Vehicles for an amount not to exceed \$637,600 through the Savvik Buying Group cooperative purchasing and a total expenditure amount not to exceed \$656,000.
- Item H To adopt the following resolution **Resolution 22-148**
Resolution of the City of Woodbury, Washington County, Minnesota approving revisions to Council Directive CD-FIN-5.9 Curb Stop Repair Payment Policy.
- Item I To adopt the following resolution **Resolution 22-149**
Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an agreement for professional services with Ehlers and Associates, Inc.
- Item J To adopt a motion to change the November 16, 2022 Council Workshop meeting start time from 6:30 p.m. to 6:40 p.m.; and to approve the scheduling of a meeting to canvass city office election results on November 16, 2022 at 6:30 p.m. in the Ash North and South Conference Rooms at Woodbury City Hall.
- Item K To adopt the following resolution **Resolution 22-150**
Resolution of the City of Woodbury, Washington County, Minnesota adopting Council Directive CD-FIN-5.14 Financial Reporting to City Council.
- Item L The abstract of bills. This item was removed from the consent agenda and moved to the discussion portion of the meeting.

Councilmember Santini moved, seconded by Councilmember Morris, to approve the Consent Agenda with the exception of Items F and L.

Voting via voice:

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

Public Hearings

A. Amendment to 2019 Annual Action Plan Reallocating CDBG-CV Funds

Mayor Burt declared the public hearing open.

Per Mayor Burt, this agenda item was delayed, due to technical difficulties, and will be addressed just after Public Hearing Item B.

B. Vacate Easements previously recorded as Doc. No. 1241303 and Doc. No. 1241305, Black Diamond

Mayor Burt declared the public hearing open.

City Engineer Tony Kutzke reviewed the proposed vacation of existing easements on the Black Diamond site. This procedural item allows public comment on public drainage utility easements dedicated from previous property owners. Any future easement needs would be dedicated through the platting process.

Mr. Kutzke stated City Staff recommends City Council adoption of a Resolution approving vacation of easements contingent upon recording of the Settlers East Final Plat.

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

**City Council Meeting Minutes
Wednesday, July 27, 2022**

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

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

Councilmember Santini asked whether additional easements in other locations will be required when the development is complete. Mr. Kutzke confirmed this.

Councilmember Santini moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-151

Resolution of the City of Woodbury, Washington County, Minnesota authorizing to vacate the drainage and utility easements previously recorded as Doc. No. 1241303 and Doc. No. 1241305, Washington County, Minnesota.

Voting via voice:

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

A. Amendment to 2019 Annual Action Plan Reallocating CDBG-CV Funds

Mayor Burt stated the public hearing is already open.

Community Development Director Janelle Schmitz reviewed a proposed amendment to the 2019 Annual Action Plan to reallocate CDBG and CDBG-CV funds as required by the US Department of Housing and Urban Development (HUD).

Ms. Schmitz stated City Staff is recommending the following reallocation of CDBG-CV Funds: cancellation of \$39,000 for personal protective equipment for the Public Safety Department, which is not an eligible use of funds; decreased allocation to local non-profits from \$91,000 to \$63,555; decreased allocation to the Washington County Community Development Agency from \$238,000 to \$83,608; allocation of \$217,507 to Cobble Hill Apartments low-income eligible senior community for major systems updates including air filtration, ventilation and social distancing measures; and increased allocation to CDBG-CV program administration from \$14,340 to \$17,670.

She noted an error in the Council memo, which should read “39,000” for cancellation of funds for personal protective equipment, rather than “\$31,000”.

Ms. Schmitz stated no public comments were received during the public comment period. City Staff recommends City Council adoption of a Resolution approving amendments to the 2019 Annual Action Plan reallocating CDBG-CV funds.

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.

Mayor Burt observed that, despite the challenges faced during the COVID pandemic, emergency assistance funding was not depleted.

Councilmember Morris requested clarification regarding the funding totals, as there appeared to be a discrepancy. Ms. Schmitz reviewed the numbers, which were found to be correct.

Councilmember Wilson asked whether income limits could be included for emergency home rental situations. Ms. Schmitz stated she believes there was rental assistance for COVID-related situations in CDBG-CV funding.

**City Council Meeting Minutes
Wednesday, July 27, 2022**

Councilmember Santini moved, seconded by Councilmember Date,

To adopt the following resolution

Resolution 22-152

- 1. With an amendment as follows: replace “\$31,000” with “\$39,000” in the Council Letter and Resolution**

Resolution of the City of Woodbury, Washington County, Minnesota authorizing an amendment to the City’s 2019 Annual Action Plan reallocating CDBG-CV funds.

Voting via voice:

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

Discussion

A. Amend the Roadway Corridor Design Principles

Mr. Kutzke reviewed roadway corridor policies and design principles related to neighborhood collector roadways; neighborhood roadways with connectivity; and neighborhood roadways, as well as changes to policy documents based on prioritization in the City’s Bicycle and Pedestrian Plan.

Mayor Burt asked whether a sidewalk or trail would apply to a cul-de-sac that is 26 feet wide. Mr. Kutzke stated that requirement would only apply if there is connectivity through the cul-de-sac. He added City Staff recommends the continuous location of a separated facility.

Councilmember Wilson requested clarification between a neighborhood collector roadway and a neighborhood roadway with connectivity. Mr. Kutzke stated collector roadways, including Queens Drive, would be appropriate for a trail, while roadways with connectivity, including Montrose Road, would be reviewed based on neighborhood character and connectivity requirements.

Councilmember Wilson requested clarification regarding the right of way on neighborhood collector roads. Mr. Kutzke stated most neighborhood collector roads, some of which were constructed before 2000, have roadway right of way width of 60 feet.

Councilmember Wilson stated the 2009 Design Principles, of which she has a copy, indicate that 88 feet is the standard width. She asked whether the City has not been following the standard. Mr. Kutzke stated collector roadways often have a wider right of way due to wider space for trails. He added additional right of way is required to accommodate original D-1 and D-2 design standards.

Councilmember Wilson asked for an example of a newer neighborhood that has neighborhood collector roads. Mr. Kutzke stated Bailey Lake Road across Copper Ridge has a width of 28 feet with a trail on one side.

Councilmember Morris asked whether there is different guidance for new construction. Mr. Kutzke stated the wording for new construction stays the same, but reconstruction policies have been amended to soften the language. He added, for example, on page 9, the recommended width for new and replacement roadways is 28 feet wide, but approach, context and economic feasibility are to be taken into consideration.

Councilmember Wilson stated Montrose Road has connectivity, so following this guidance, a trail or sidewalk would be required on that road. Mr. Kutzke agreed there is strong guidance for a trail or sidewalk on Montrose Road.

Councilmember Morris stated the draft policy allows for context and consideration rather than requirements.

Councilmember Wilson stated Footnote 1, Neighborhood Collector Roadway, states “depending upon engineering and economic feasibility”. She expressed concern that no other options are mentioned. She asked whether sidewalks are put in when roads are rehabilitated.

Mr. Kutzke stated trails and sidewalks are a priority on neighborhood collector roadways and roadways with connectivity, including rehabilitation.

Councilmember Wilson stated, in the past, the City has requested resident input regarding sidewalks, knowing it would not change the assessment. She added an example of this Eagle Valley Drive, where a sidewalk could have been covered under assessments.

**City Council Meeting Minutes
Wednesday, July 27, 2022**

Mr. Kutzke stated neighborhood input was requested for Eagle Valley, but many residents expressed opposition, and there were potential significant additional costs associated with the project. He added the roadway needed mill and overlay and curb repairs, which resulted in the trail addition not being feasible at the time.

Mr. Kutzke stated the Bike and Pedestrian Plan has been drafted to ensure that proposed policy changes are consistent with existing language. He noted a paragraph on Policy Guidance on page 70 that refers to reconstructed residential roadways to be designed to current roadway corridors dependent upon economic feasibility.

Councilmember Date requested that the section be amended to read “fully reconstructed and rehabilitated residential roadways” for consistency. Mr. Kutzke agreed.

Councilmember Wilson requested clarification regarding Lighting, page 77, and whether there will be lighting along primary trails and future trails to transit. She added there is currently no lighting along major trails.

Mr. Kutzke stated only intersections are lighted in Woodbury in pre-2000 neighborhoods. He added new developments are required to install their own lighting if desired. He noted City Staff hears from many residents that the neighborhoods are dark, and workshop discussions are planned regarding existing and proposed lighting and economic challenges.

Councilmember Wilson asked whether there will be lighting on Bielenberg Drive with the BRT. Mr. Kutzke stated pedestrian lighting is planned for that corridor, in the boulevard along the trails.

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-153

Resolution of the City of Woodbury, Washington County, Minnesota amending the Roadway Corridor Design Principles.

Voting via voice:

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

Mayor Burt expressed her appreciation to City Staff, as this policy has taken a lot of hard work and efforts to ensure that it is correct and can be applied to opportunities for rehab and reconstruction.

B. Adopt the Woodbury Bicycle and Pedestrian Plan

Councilmember Date moved, seconded by Councilmember Morris,
To adopt the following resolution

Resolution 22-154

- 1. With an amendment as follows: Page 70, Item 3, Line 3 should read “fully reconstructed and rehabilitated residential roadways”**

Resolution of the City of Woodbury, Washington County, Minnesota adopting the Woodbury Bicycle and Pedestrian Plan.

Voting via voice:

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

C. Consent Agenda Item F. Resolution 22-147

Councilmember Wilson stated she will be voting differently.

**City Council Meeting Minutes
Wednesday, July 27, 2022**

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-147

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, for construction administration services for the Air Lake 2nd Addition Utility & Street Improvements Project (Private Construction) contingent on all required securities being collected.

Voting via voice:

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

D. Consent Agenda Item L. Approval of Abstract of Bills

Councilmember Wilson requested clarification regarding the July 14, 2022 check register on page 9, which includes a \$1,000 check for mailbox repairs. She added the mailboxes were repaired in an HOA neighborhood that is not in compliance, and City Staff indicated that the check was not going to be sent out.

Councilmember Wilson expressed concern that the check was issued by City Staff as late as July without realizing that the neighborhood is not in compliance and also concerned with approving check registers when one of the checks is not going to be mailed.

Mayor Burt stated City Staff have indicated that they already noticed this error and will take care of it. She added the line item can be removed so the abstract of bills can be approved. She noted City Staff can provide a further report on this issue.

Councilmember Santini stated that the issue related to mailbox replacement and compliance with US Postal standards may be an issue for the City newsletter.

Councilmember Wilson stated she has raised this issue in City Council Work Session. Councilmember Morris stated it is a Postal Service standard. Councilmember Wilson stated she is unsure whether that is the case, and ask that Council receive clarification regarding this matter.

Councilmember Morris moved, seconded by Councilmember Wilson, to approve the abstract of bills for June 24, 2022 in the amount of \$1,197,688.09, July 1, 2022 in the amount of \$532,782.38, July 8, 2022 in the amount of \$573,812.31 and July 15, 2022 in the amount of \$1,806,561.99.

Voting via voice:

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

Staff Reports

City Administrator's Report

There were no items to report.

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

Mr. Kutzke reviewed the following transportation projects:

- Hudson Road turn lanes and Watermain at Karen Drive, West of Settlers Ridge Parkway – no road closures are planned
- Hudson Road between Settlers Ridge Parkway and Manning Avenue
- Lake Road/Pioneer Drive Intersection Improvements, including a single-lane roundabout and pedestrian improvements
- Lake Road 4 to 3 Lane Conversion and Pavement Management Project – open to traffic on August 12, 2022
- I-494/Wakota Bridge pavement resurfacing

**City Council Meeting Minutes
Wednesday, July 27, 2022**

- I-94 Construction – lane closure eastbound from Woodbury Drive to the river bridge
- Dale Road – currently closed east of Radio Drive; open by the end of the week

Mr. Kutzke reviewed future projects: City Hall parking lot; Ojibway Park parking lot; Edgewood Avenue culvert replacement; Gold Line Project; and Pavement Rejuvenator Project.

Mayor Burt requested clarification on Mulberry Bay and Ivywood Trail. Mr. Kutzke stated the final lift of pavement was placed last year and will be treated with rejuvenator.

Mr. Kutzke stated residents can register to receive road construction project updates online at woodburymn.gov/intouch.

Councilmember Morris stated the designated route to I-494 has been identified as Bailey Road to Woodlane Drive. He added there is currently a notice posted on Woodlane Drive the street will be closed north of Bailey Road. Mr. Kutzke indicated that closure would follow the reopening of the Lake Road and Courtly Road intersection closure. He added project timelines are on schedule.

Adjournment

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

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

Respectfully submitted,



Kimberlee K. Blaaser, City Clerk

Approved by the Woodbury City Council on August 10, 2022