

**REGULAR MEETING MINUTES
OAKDALE CITY COUNCIL
January 24, 2023**

CALL TO ORDER

A regular meeting of the City Council of the City of Oakdale was held on January 24, 2023, at Oakdale City Hall, 1584 Hadley Avenue, Oakdale, Minnesota. The meeting was called to order by Mayor Kevin Zabel at 7:01 PM.

CALL OF ROLL

On a call of roll, the following were present:

Mayor Kevin Zabel

Council Members: Jake Ingebrigtsen
Andy Morcomb
Susan Olson

Staff Present: Christina Volkens, City Administrator
Sara Ludwig, City Clerk
Jim Thomson, City Attorney
Andrew Gitzlaff, Community Development Director
Brian Bachmeier, Interim City Engineer
Luke McClanahan, City Planner
Nick Newton, Police Chief
Lori Pulkrabek, Communications Manager
Jim Romanik, Public Works Manager
Jason Zimmerman, Finance Director

Others Present: Todd Blank, SEH Principal Engineer

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Mayor Zabel asked if the only change to the agenda was an updated Consensus Motion item.

City Administrator Chris Volkens proposed that a resolution for the Local Option Sales Tax for Legislative action be added under Administrator's Report as well.

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO APPROVE THE AGENDA AS AMENDED FOR THE MEETING OF JANUARY 24, 2023.

4 AYES

**APPROVAL OF MINUTES: Workshop, January 10, 2023
Regular Meeting, January 10, 2023**

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE THE WORKSHOP MEETING MINUTES OF JANUARY 10, 2023.

4 AYES

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE THE REGULAR MEETING MINUTES OF JANUARY 10, 2023.

4 AYES

PUBLIC HEARING: 7:00 PM, or as soon afterwards as possible

a) Order City Project R2023-01: 2023 Street Improvements

Interim City Engineer Brian Bachmeier explained that there will be two public hearings. The first is the public improvement hearing to discuss the why, what, and when of the particular project. The second is the public assessment hearing to talk about how the project is being financed.

He laid out the objectives of the improvements which include increased safety, the containment of maintenance expenditures, improvement of the reliability of the water system, and elimination of unreasonable load limits. Mr. Bachmeier went on to review several charts and graphs about the road conditions, street improvement history, and water main infrastructure.

SEH Principal Engineer Todd Blank presented various photos of the condition of the streets that will be part of the 2023 street improvements. He then went through a detailed list of the proposed improvements for each of the five neighborhoods affected by this project. These improvements vary by area, but include some of the following: pavement rehabilitation, street light fixture replacement, spot utility repairs, replacement of water main and curbs, and addition of sidewalks. Mr. Blank also explained the detailed construction process. Lastly, he reviewed site maps for the designated street improvements.

Council Member Morcomb asked about the effects of narrowing the street on the current residential properties in the proposed neighborhood on the south side of the City. Mr. Bachmeier said there would be no vacation of the right-of-way.

Mayor Zabel provided information and ground rules for the public hearing process. City Attorney Jim Thomson further explained the public hearing process and the types of comments that are allowed at each. He noted that anyone who would like to appeal the special assessment must submit a written assessment appeal form to the City Clerk before the end of the public hearing.

Mayor Zabel reminded the audience that even if the project is approved tonight that does not mean the details are finalized. All public comments will be taken into consideration and discussions will be had until the March 28, 2023 deadline for final plan approval.

Mayor Zabel opened the public hearing and welcomed comments from the audience.

Dave Cunningham, 1553 Hydrum Avenue Court North, was opposed to removing the Cardinal Meadows Monument. He said the neighborhood does not need a left-hand turn lane. He added that the monument adds an aesthetic appeal to the neighborhood.

Glen Giacoletto, 1597 Hydram Avenue Court North, agreed with Mr. Cunningham's sentiment regarding the monument. He noted that there are no signs to indicate parking is not allowed near the monument that could help with the issues of narrow lanes in that area. He asked about the feasibility of the storm drainage system specifically for Hydram Avenue Court.

Tom Nun, 7888 Upper 16th Street North, expressed indifference about whether the monument is removed or not. He agreed with Mr. Cunningham that there is no problem making a left-hand turn out of the neighborhood. He asked about maintenance responsibilities for the monument. He suggested restricting parking where the street narrows if the monument remains.

Mayor Zabel asked for any final comments and closed the public hearing.

Council Member Morcomb was glad to see the amount of residents that showed up for the public hearing. He asked how expensive it is to fix a water main break. Mr. Bachmeier responded that it is common for the cost to range from \$5,000-\$10,000.

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER MORCOMB TO WAIVE READING AND ADOPT RESOLUTION 2023-09, ORDERING CITY PROJECT R2023-01 (2023 STREET IMPROVEMENTS).

4 AYES

Mr. Bachmeier explained the assessment policies used by the City to determine the assessment roll.

Finance Director Jason Zimmerman presented on the 2023 tax levy allocation. He shared how the City defines special assessments. He moved on to a sample calculation of the assessment payment schedule over the next ten years.

Mayor Zabel opened the public hearing and welcomed comments from the audience, reminding them about the written assessment appeal form.

Kenny Larson, 3505 Highpoint Drive North, who owns the 4Front Technology & Office Campus, asked for a different calculation on the assessment for the commercial properties.

Mayor Zabel invited additional comments from the audience.

Colin Roebuck, 7971 17th Street North, asked about the assessment appeal process and noted he is in favor of keeping the monument.

Attorney Thomson encouraged Mr. Roebuck to fill out the appeal form and explained that anyone wanting to appeal the assessment once it is passed by Council must file an appeal in court within 30 days of that decision.

Mayor Zabel added that filling out the assessment appeal form preserves a resident's right to appeal, but does not bind them to the appeal process.

Mayor Zabel invited additional comments from the audience.

Jan Cunningham, 1553 Hydram Avenue Court North, asked questions about the assessment appeal form and process.

Mayor Zabel invited additional comments from the audience and closed the public hearing.

A MOTION WAS MADE BY MAYOR ZABEL, SECONDED BY COUNCIL MEMBER OLSON TO CONTINUE ACTION ON RESOLUTION 2023-10 UNTIL THE FEBRUARY 14, 2023 CITY COUNCIL MEETING.

4 AYES

Mayor Zabel noted that City staff may need to make a small change to the special assessment funding policy.

b) Take 5 Oakdale / Oakdale Center 3rd Addition – Preliminary Plat, Final Plat, and Site Plan

City Planner Luke McClanahan said that the proposed property is on the north side of 10th Street North, consisting of approximately 1.5 acres. Development is being proposed on the east lot of this parcel.

Mr. McClanahan reviewed the plat noting the current road access. He moved on to the site plan explaining traffic flow, recommendations from Washington County, and the necessary permits and approvals needed for development.

Finally, building designs were presented.

Mr. McClanahan summarized the conditions set forth in the attached resolutions and recommended approval of the preliminary and final plat, and site plan subject to the conditions in the resolutions.

Council Member Olson asked about the containment and disposal of the oil. Mr. McClanahan said that is regulated by the Minnesota Pollution Control Agency (MPCA) at the state-level.

Mayor Zabel opened the public hearing and welcomed comments from the audience. No comments were heard. The public hearing was closed.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER OLSON TO WAIVE READING AND ADOPT RESOLUTION 2023-12, APPROVING THE PRELIMINARY AND FINAL PLAT OF OAKDALE CENTER 3RD ADDITION, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

4 AYES

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER MORCOMB TO WAIVE READING AND ADOPT RESOLUTION 2023-13, APPROVING THE SITE PLAN FOR TAKE 5 OAKDALE, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

4 AYES

OPEN FORUM

Mayor Zabel invited comments from the audience. No comments were heard.

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CONSENSUS MOTIONS

- a) Request that the City Council approve the issuance of a temporary on-sale liquor license to Transfiguration Church for February 18, 2023 at 6133 15th Street North.
- b) Request that per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Lori Weitzel as a temporary HR Specialist effective January 25, 2023, at a rate of pay consistent with the city base pay schedule.
- c) Request that the City Council authorize the Mayor and City Administrator to sign the agreement between Keys Well Drilling Company and the City of Oakdale for City Project U2023-03: Well Number 9 Reconditioning.
- d) Request that the City Council waive reading and adopt Resolution 2023-08, ordering City Project R2023-02 (2023 Street Overlay Project), and request an advance from the City's MSA account.
- e) Request that the City Council waive reading and adopt Resolution 2023-07, accepting resignation and declaring a vacancy of Council Member on the Oakdale City Council.
- f) Request that the City Council appoint Carrie Frost to Economic Development Commission for the period of January 25, 2023 to June 30, 2025.
- g) Request per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Marie Koran as part-time probationary Police Records Technician at a rate of pay consistent with the City base pay schedule, conditioned on successful completion of all pre-employment screening.
- h) Request per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Andrew Ashley as probationary Community Services Officer at a rate of pay consistent with the City base pay schedule.

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE CONSENSUS MOTIONS A THROUGH H, AS PRESENTED.

4 AYES

ADVISORY BOARDS AND COMMISSIONS

Economic Development Commission (no meeting, Council Liaison Olson)

Environmental Management Commission (no meeting, Council Liaison Zabel)

Planning Commission (no meeting, Council Liaison Ingebrigtsen)

Parks and Recreation Commission (no meeting, Council Liaison Morcomb)

Tree Board (met on 1/17/23, Council Liaison Zabel)

Mayor Zabel reported that the Tree Board discussed their spring planting project. Their project includes planting many trees along 40th Street just east of Highway 120. They also discussed the Arbor Day Tree Giveaway Celebration.

AWARD OF BID

None

STAFF REPORTS

COMMUNITY DEVELOPMENT

a) Willowbrooke Eighth Addition – Final Plat

Mr. McClanahan addressed the Council by stating the proposed property is on the north side of 40th Street North, but it also includes a small portion on the south side of 40th Street North. It is approximately 85 acres. If approved, the plat would create 37 lots for single family residences.

As part of this development, Helmo Avenue North will be extended further north to connect to Olson Lake Estates 3rd Addition. Staff is recommending that the proposed sidewalk be relocated from the east side to the west side of Helmo Avenue North to seamlessly connect with the existing sidewalk system.

He noted that the City will be responsible for constructing certain trails and maintaining open space for this development.

In accordance with the Master Planned Unit Development (PUD) agreement for Willowbrooke, the developer is working on a couple vacations related to this development. Additionally, the developer is aware that a 20-foot wide easement through the subdivision needs to be established for Lumen's infrastructure. Staff finds that this final plat substantially conforms to the approved preliminary plat of Willowbrooke subject to certain conditions found in the resolution.

Mr. McClanahan summarized some conditions set forth in the attached resolution.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER MORCOMB TO WAIVE READING AND ADOPT RESOLUTION 2023-11, APPROVING THE FINAL PLAT FOR WILLOWBROOKE EIGHTH ADDITION, WITH CONDITIONS AS OUTLINED.

4 AYES

b) 4Front Commercial/Retail Property Site Plan – Revised Option 2

Mr. McClanahan began by reminding Council this is a continuation from the last regular meeting on January 10, 2023. The location of the site is on the north side of 34th Street North within the 4Front Technology & Office Campus. It is a vacant 8.5 acre parcel. Site Plan Option 1 was approved at the last meeting which features a grocery store and other commercial uses.

The revised Site Plan Option 2 has removed the proposed car wash in response to concerns about the compatibility of its use with this area. This is the alternative to Site Plan Option 1 if a deal with the grocery store does not pan out. In place of the carwash is a 14,820 square foot building for general commercial/retail use. To ensure the building's use complies with parking requirements, staff is recommending a condition of approval in the Site Plan resolution.

Staff recommends approval of this Site Plan subject to the conditions in the resolution. Mr. McClanahan noted that the conditions are the same as those for the Site Plan Option 1 aside from the developer updating the northwest building and its parking area as necessary to ensure compliance with the City's off-street parking requirements.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER OLSON TO WAIVE READING AND ADOPT RESOLUTION 2023-06, APPROVING A REVISED SITE PLAN OPTION 2 FOR THE 4FRONT COMMERCIAL/RETAIL PROPERTY WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

4 AYES

CITY ATTORNEY

No report

ADMINISTRATOR'S REPORT

a) Amend Resolution 2022-86 Relating to Local Options Sales Tax

Ms. Volkers explained that an RCA and resolution is being added to the agenda in relation to the Local Options Sales Tax and preserving the City's right at the Legislature to have a discussion considering ways to adjust cost for inflation in the future. She clarified that the City is not committing to any changes and that any action taken would be a future action by the council.

She recommended that Council waive reading and adopt Resolution 2023-14 which amends the previously approved Resolution 2022-86, relating to the local options use and sales tax.

A MOTION WAS MADE BY MAYOR ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO WAIVE READING AND ADOPT RESOLUTION 2023-14, AMENDING RESOLUTION 2022-86, RELATING TO LOCAL SALES AND USE TAX.

4 AYES

COUNCIL PRESENTATIONS

Mayor Zabel made announcements about the following:

- The Espen Residences had their groundbreaking on Tuesday, January 24, 2023, for a 190-unit apartment property.
- Central Bark Oakdale, located at 3115 Hadley Avenue North, has a ribbon cutting ceremony on Friday, January 27, 2023 at 10:00 AM.

- The Indoor Winter Market is taking place on Saturday, February 4 and 18, 2023, at the Discovery Center from 9 AM – 1 PM.

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CLAIMS

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE CLAIMS FOR THE PERIOD JANUARY 11, 2023 TO JANUARY 24, 2023, IN THE AMOUNT OF \$4,186,945.16.

4 AYES

ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO ADJOURN THE MEETING AT 8:14 PM.

4 AYES

Respectfully submitted,

Sara Ludwig, City Clerk