

**SPECIAL MEETING
OAKDALE CITY COUNCIL
March 31, 2020**

CALL TO ORDER

A regular meeting of the City Council of the City of Oakdale was held on Tuesday, March 31, 2020, at Oakdale City Hall, 1584 Hadley Avenue, Oakdale, Minnesota. The meeting was called to order by Mayor Paul Reinke at 5 PM. The opportunity was provided for the City Council, staff, and the public to participate by telephone, in response to the City of Oakdale's Local Emergency in response to COVID-19. As such, all motions were done by roll call.

CALL OF ROLL

On a call of roll, the following were present:

Mayor Paul Reinke

Council Members: Jake Ingebrigtsen
Susan Olson
Colleen Swedberg
Kevin Zabel

Absent: None

Also Present: Jeff Anderson, Fire Chief (participated electronically)
Brian Bachmeier, Public Works Director/City Engineer
Susan Barry, City Clerk
Craig Dawson, Interim City Administrator
Alyssa MacLeod, Communications Specialist
Chelsea Petersen, Administrative Services Director
Bill Sullivan, Chief of Police
Jim Thomson, City Attorney (Participated electronically)

PLEDGE OF ALLEGIANCE

COVID-19 RESPONSE UPDATE

Interim City Administrator Dawson provided an update on COVID-19: limited staff reporting to work, other staff telecommuting; Discovery Center, fire stations, and Public Works closed to the public; City Hall open on a limited basis.

Police Chief Sullivan noted that the Police Department has been monitoring the increased traffic volumes at grocery stores and addressing social distancing issues at parks. He commented on the likelihood of the June 2 Safe Summer Nights being canceled. Police Chief Sullivan further noted that the department assisted the Christian Cupboard Emergency Food Shelf make deliveries to homebound residents.

In response to a question from Council Member Olson, Police Chief Sullivan indicated that there were no issues currently at the department relating to personal protective equipment inventory.

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Public Works Director/City Engineer Bachmeier noted that the Public Works Department began operating with half staffing levels and shared the tasks the crews are completing.

Communications Specialist MacLeod noted that the City's web page now offers a variety of resources for residents and businesses as well as reinforcing messaging from the governor's office. She also noted on the frequency of comments being posted on social media relating to social distancing at parks.

Fire Chief Anderson noted a slight decrease in call volume and provided a reminder of the criteria for getting tested for COVID-19 and not call 911 in hopes of getting a test. He further noted that the department's Personal Protective Equipment inventory was at a good level. Fire Chief Anderson further noted that crew training has been canceled through the end of April and all visits and other events have been canceled.

Council Member Ingebrigtsen indicated that comments appear to be split between closing all parks and leaving them open. He added that the dog park was getting much use and social distancing was not always being adhered to.

CONSENSUS MOTIONS

Council Member Zabel asked that Item b be pulled for discussion.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER COLLEEN, TO WAIVE READING AND ADOPT RESOLUTION NO. 2020-35, ACCEPTING THE IMPROVEMENTS AND AUTHORIZING FINAL PAYMENT FOR CITY PROJECT 2019-01 (2019 STREET IMPROVEMENTS) IN THE AMOUNT OF \$199,951.47.

ROLL CALL VOTE:

ZABEL:	AYE
SWEDBERG:	AYE
INGEBRIGTSON:	AYE
OLSON:	AYE
REINKE:	AYE

5 AYES.

CONSENSUS ITEM "b" – PLACES OF WORSHIP – NOISE VARIANCES

In reviewing the request to authorize the Chief of Police to approve temporary variances that would allow places of worship to amplify sounds during drive-up services during the Governor's peace time emergency, Council Member Zabel indicated that there were no provisions in Chapter 19 for the City Council to delegate authority or temporary authority, or to grant wholesale variances without following the process set out in the code.

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Council Member Ingebrigtsen agreed.

City Attorney Thomson noted that the City Council may take action to grant temporary variances.

Council Member Zabel stated that the initial request was for a variance for Heartwood Church, 6477 – 10th Street, to amplify sound on Easter Sunday; however, the action being requested now encompasses all places of worship and for a longer period of time.

City Attorney Thomson noted that the City Council could choose to consider only the request from Heartwood Church.

Mayor Reinke suggested modifying the motion to allow the sound amplification variance for all places of worship on only April 12, Easter Sunday, and for the hours of 9 AM to 1 PM.

Council Member Zabel stated that the City needs to follow the process provided under Section 19-10 that calls for applicants to submit variance requests to be reviewed individually. As such, he supported considering only the request from Heartwood Church at this time.

Police Chief Sullivan explained that the request being made was to simplify the process for the faith community by permitting variances to be issued by staff and not require action at a City Council meeting.

Council Member Zabel suggested amending the code to implement a new process.

City Attorney Thomson noted that the local emergency declaration allows for the adjusting of rules and to take broader action, where applicable.

Council Member Zabel reiterated his support of approving only the request for Heartwood Church at this time.

Council Member Swedberg asked about the potential of other places of worship seeking variances.

Council Member Ingebrigtsen agreed with reviewing requests on a case-by-case basis.

Council Member Olson supported granting a variance to only Heartwood Church for Easter Sunday April 12, 2020, from 8 AM to 1 PM.

A MOTION WAS MADE BY MAYOR REINKE TO AUTHORIZE TEMPORARY VARIANCES TO SECTION 19-4(c) OF THE NOISE ORDINANCE TO ALLOW PLACES OF WORSHIP IN OAKDALE TO AMPLIFY SOUND DURING DRIVE-UP CHURCH SERVICES FOR SUNDAY, APRIL 12, 8 AM TO 1 PM.

COUNCIL MEMBER INGEBRIGTSON AMENDED THE MOTION TO ADD: “AND ADHERING TO ALL ELEMENTS OF SOCIAL DISTANCING AND RECOMMENDED ADVISORIES FOR THOSE THAT MEET THE CITY DEFINITION OF ‘PLACES OF WORSHIP’.”

MOTION SECONDED BY COUNCIL MEMBER OLSON.

In response to a comment from Council Member Zabel, Council Member Olson noted that family members in one vehicle would not violate social distancing.

Council Member Zabel supported that the City Council consider any additional requests at their April 7 meeting.

In response to a request from Council Member Zabel, City Attorney Thomson noted that the zoning code defines places of worship as “churches”.

ROLL CALL VOTE:

ZABEL:	NAY
SWEDBERG:	NAY
INGEBRIGTSON:	NAY
OLSON:	AYE
REINKE:	AYE

MOTION FAILED.

Staff was directed to contact other churches in the City to inquire of their interest in holding outdoor services on Easter Sunday, with amplified sound and bring the matter back on April 7.

Council Member Swedberg supported taking action on the Heartwood Church request.

A MOTION WAS MADE BY COUNCIL MEMBER SWEDBERG, SECONDED BY COUNCIL MEMBER INGEBRITSON, TO APPROVE A TEMPORARY VARIANCE TO SECTION 19-4(c) OF THE NOISE ORDINANCE TO ALLOW HEARTWOOD CHURCH, 6477 – 10TH STREET, TO AMPLIFY SOUND DURING DRIVE-UP CHURCH SERVICES FOR SUNDAY, APRIL 12, 8 AM TO 1 PM.

ROLL CALL VOTE:

ZABEL:	AYE
SWEDBERG:	AYE
INGEBRIGTSON:	AYE
OLSON:	AYE
REINKE:	AYE

MOTION PASSED.

OLD BUSINESS

a) Dog Park

The City Council shared their observations of recent visits to the Oakdale Bark Park relating to complaints from area residents: barking, waste, not using leashes.

As there were no issues of note, Mayor Reinke suggested continuing current operations at the park, with reminders to park visitors to abide by the posted rules and regulations.

COUNCIL DISCUSSION

a) Parks and Recreational Amenities

Council Member Ingebrigtsen expressed concern with people continuing to use playground equipment and basketball courts and not social distancing.

Council Member Zabel added that residents would like the City to increase efforts that will keep people from public areas, such as Tanner's Park and Walton Park, and suggested barricading parking lots and park entrances, removing swings, chain-locking fences, etc., and asked that action be taken right away.

Council Member Ingebrigtsen agreed with taking action to make park equipment unusable at this time.

Mayor Reinke did not agree as it would significantly impact persons choosing to observe social distancing.

Council Member Zabel supported keeping trails open but not playgrounds as the equipment cannot be sanitized and restricting access to basketball courts, tennis and pickleball courts, etc.

Council Member Olson commented on the responsibility of the City versus the responsibility of individuals.

Council Member Ingebrigtsen felt that protecting public areas needs to go beyond individual rights.

Mayor Reinke recommended bringing the matter back on April 7.

Council Member Zabel asked that the City Council not wait to take action.

Mayor Reinke asked for additional time to allow for input from the public.

Council Member Ingebrigtsen supported making a decision at this time.

Mayor Reinke recommended directing staff to develop comprehensive protocol for addressing park amenities for City Council consideration on April 7.

Council Member Zabel strongly supported making a decision and then directing staff to determine how to make park amenities unusable and addressing additional items on April 7.

The group discussed whether Governor Walz's orders on social distancing included playgrounds.

Mayor Reinke indicated that the earlier discussion regarding places of worship focused on not wanting to take wholesale action, which is why he wanted staff to provide details to the City Council before action is taken.

Council Member Ingebrigtsen supported taking action immediately.

Council Member Olson reiterated leaving choices up to each individual such as distancing oneself when walking on a trail if others may not be doing so.

In conclusion, staff would develop comprehensive protocol for addressing each park amenity for the City Council to consider at their April 7 meeting.

b) Letter of Support: Local Sales Tax

Mayor Reinke commented that the City's letter seeking support for local sales tax was sent to Washington County Commissioner Karwoski and Metropolitan Council Chair Zelle. He added that Commissioner Karwoski supports Oakdale's position.

Council Member Ingebrigtsen stated that he emailed Senator Housley asking for support of the local sales tax and encouraged other councilors to do the same.

c) Highway 36 and Hadley Avenue Interchange Project

In response to questions from Council Member Swedberg, Public Works Director/City Engineer Bachmeier explained that the contractor would be finishing work on the roundabout, including completing the access drive to the convenience store and adding curb and gutter. He noted that there would be no closure of the roundabout during this time.

d) City Council Meetings

Staff was directed to get a video component of council meetings in place for the next City Council special meeting.

A MOTION WAS MADE BY COUNCIL MEMBER SWEDBERG, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO ADJOURN THE MARCH 31, 2020 SPECIAL MEETING AT 6:40 PM.

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ROLL CALL VOTE:

SWEDBERG:	AYE
ZABEL:	AYE
INGEBRIGTSON:	AYE
OLSON:	AYE
REINKE:	AYE

MOTION PASSED.

Respectfully submitted,
Susan Barry, City Clerk