

**REGULAR MEETING MINUTES
OAKDALE CITY COUNCIL
May 23, 2023**

CALL TO ORDER

A regular meeting of the City Council of the City of Oakdale was held on May 23, 2023, at Oakdale City Hall, 1584 Hadley Avenue, Oakdale, Minnesota. The meeting was called to order by Mayor Kevin Zabel at 7:00 PM.

CALL OF ROLL

On a call of roll, the following were present:

Mayor Kevin Zabel

Council Members: Noah Her
Andy Morcomb
Susan Olson

Staff Present: Christina Volkers, City Administrator
Sara Ludwig, City Clerk
Jim Thomson, City Attorney
Jesse Farrell, City Engineer
Andrew Gitzlaff, Community Development Director
Luke McClanahan, City Planner
Nick Newton, Police Chief
Lori Pulkrabek, Communications Manager
Jim Romanik, Public Works Manager
Julie Williams, Recreation Superintendent
Kevin Wold, Fire Chief
Jason Zimmerman, Finance Director

Others Present: Jenny Boulton, Attorney with Kennedy & Graven

Absent: Council Member Jake Ingebrigtsen

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER OLSON, TO APPROVE THE AGENDA AS PRESENTED FOR THE MEETING OF MAY 23, 2023.

4 AYES

**APPROVAL OF MINUTES: Workshop, May 9, 2023
Regular Meeting, May 9, 2023**

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER HER TO APPROVE THE WORKSHOP MEETING MINUTES OF MAY 9, 2023.

4 AYES

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER MORCOMB TO APPROVE THE REGULAR MEETING MINUTES OF MAY 9, 2023.

4 AYES

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

- a) **Oakdale Commons – Adopt a Housing Program for a Senior Multifamily Rental Housing Development and Authorize the Issuance of Conduit Multifamily Housing Revenue Obligations and the Execution of Related Documents**

Community Development Director Andrew Gitzlaff presented on the Housing Program for the Senior Multifamily Rental Housing Development proposed by MWF Properties, LLC which includes the issuance of tax-exempt conduit revenue obligations by the City.

In response to Mayor Zabel’s question about the City’s debt ceiling, Jenny Boulton, bond counsel from Kennedy & Graven, said that the limit is set by federal law. She further added that each conduit debt application is project-specific and relies on the State’s volume capacity.

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

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER HER TO WAIVE READING AND ADOPT RESOLUTION 2023-54, ADOPTING A HOUSING PROGRAM FOR A SENIOR MULTIFAMILY RENTAL HOUSING DEVELOPMENT, APPROVING THE PROJECT AND THE PROGRAM AND AUTHORIZING THE ISSUANCE OF CONDUIT MULTIFAMILY HOUSING REVENUE OBLIGATIONS AND THE EXECUTION OF RELATED DOCUMENTS BY THE MAYOR AND CITY ADMINISTRATOR.

4 AYES

OPEN FORUM

- a) **Proclamation: Asian American and Pacific Islander Heritage Month**

Mayor Zabel proclaimed the month of May as “Asian American and Pacific Islander Heritage Month”. The proclamation was presented to Tartan High School’s Asian Student Alliance.

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

CONSENSUS MOTIONS

- a) Request that the City Council authorize the Mayor and the City Administrator to enter into the Water Service Agreement between City of Landfall Village and the City of Oakdale to continue the extension of Oakdale water service to the City of Landfall Village until December 31, 2024.
- b) Request that the City Council approve amended City Policy PE-031 Section 27.12: Holidays, adding June 19 (Juneteenth) as a City holiday in which public business cannot be conducted; as well as waive reading and adopt Resolution 2023-60, approving labor agreement and memoranda of agreements between the City of Oakdale and Oakdale Professional Fire Fighters Local No. 5175

International Association of Fire Fighters (IAFF); International Association of Operating Engineers (IUOE) Local No. 49 AFL-CIO; Law Enforcement Labor Services (LELS) Employee's Union Local 197 (Patrol Officers); and International Brotherhood of Electrical Workers (IBEW), Local 110.

- c) 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 the Public Works and Summer Program Seasonal Workers as indicated in the table.
- d) Request that the City Council waive reading and adopt Resolution 2023-16, accepting Municipal Recycling Grant Funds in the amount of \$52,536 from Washington County, and authorizing the Mayor and City Administrator to execute the 2023 Washington County Recycling Grant agreement.
- e) 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 Hannah Dunn as a full-time probationary Community Development Specialist at a rate of pay consistent with the City base pay schedule, conditioned on successful completion of all preemployment screening.

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER OLSON, TO APPROVE CONSENSUS MOTIONS A-E, AS PRESENTED.

4 AYES

ADVISORY BOARDS AND COMMISSIONS

Economic Development Commission (no meeting, Council Liaison Her)

Environmental Management Commission (met on 5/15/23, Council Liaison Zabel)

Mayor Zabel reported that the Environmental Management Commission gave an update on the Bike and Pedestrian Plan and worked on the 2023 Washington County Recycling Grant.

Planning Commission (no meeting, Council Liaison Ingebrigtsen)

Parks and Recreation Commission (5/16/23 meeting cancelled, Council Liaison Morcomb)

Tree Board (no meeting, Council Liaison Olson)

AWARD OF BID

- a) **Award of Bid for City Project P2023-05 (Willowbrooke Trails) and amending the 2023 budget**

City Engineer Jesse Farrell explained that the City received seven bids for City Project P2023-05 (Willowbrooke Trails). Hobs Excavating, Inc. submitted the low bid of \$149,799.00. The project scope was reduced after the 2023-2027 Capital Improvement Plan (CIP) budget was approved. Due to this, Mr. Farrell noted the amended budget to accommodate for this. He recommended awarding the contract to Hobs Excavating, Inc. and amending the 2023 budget.

In response to Council Member Morcomb's question about project timeline, Mr. Farrell stated this project will be completed summer of 2023.

In response to Mayor Zabel's question about the City working with Hobs Excavating, Inc. in the past, Mr. Farrell indicated it has not, but that staff vetted them and felt comfortable moving forward with awarding the bid as recommended.

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER OLSON TO WAIVE READING AND ADOPT RESOLUTION 2023-55, AWARDING THE BID FOR CITY PROJECT P2023-05 (WILLOWBROOKE TRAILS) TO HOBBS EXCAVATING, INC. IN THE AMOUNT OF \$149,779.00 AND AMENDING THE 2023 BUDGET; AS WELL AS AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO SIGN AND EXECUTE THE CONTRACT WITH HOBBS EXCAVATING, INC.

4 AYES

STAFF REPORTS

ENGINEERING

a) Temporary Use Agreement with Norhart Construction

Mr. Gitzlaff reviewed the reasoning for the Temporary Property Use Agreement with Norhart Construction relating to City-owned property on Outlot A of the Helmo Station Addition. He also highlighted a few conditions within the agreement.

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER HER TO TAKE FROM THE TABLE THE APPROVAL OF A TEMPORARY PROPERTY USE AGREEMENT BETWEEN NORHART CONSTRUCTION AND THE CITY OF OAKDALE RELATING TO CITY-OWNED PROPERTY ON OUTLOT A OF THE HELMO STATION ADDITION.

4 AYES

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER OLSON TO WAIVE READING AND ADOPT RESOLUTION 2023-59, APPROVING A TEMPORARY PROPERTY USE AGREEMENT BETWEEN NORHART CONSTRUCTION AND THE CITY OF OAKDALE, FOR THE CONSTRUCTION OF A RETAINING WALL AND STORMWATER IMPROVEMENTS ON CITY-OWNED PROPERTY ON OUTLOT A OF THE HELMO STATION ADDITION AND AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO SIGN AND EXECUTE.

4 AYES

b) Purchase of Playground Equipment and Installation Services through the State of Minnesota Cooperative Purchasing Venture for City Project P2023-04: Willowbrooke Commons Park

Mr. Gitzlaff recapped past Council action taken as well as past public engagement activities that have led up to the current Council request to approve the purchase of playground equipment and installation services for Commons Park within the Willowbrooke development. He added that the City will go through the State of Minnesota Cooperative Purchasing Venture which will ensure the most competitive pricing and enable the City to pay 2023 pricing instead of increased 2024 pricing.

Council Member Morcomb expressed his excitement about the current status of this project.

Mayor Zabel thanked the residents for their engagement on the selection of the playground equipment.

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER MORCOMB TO WAIVE READING AND ADOPT RESOLUTION 2023-57, APPROVING THE ISSUANCE OF A PURCHASE ORDER BY THE CITY ADMINISTRATOR FOR PLAYGROUND EQUIPMENT FROM LANDSCAPE STRUCTURES IN A TOTAL AMOUNT NOT TO EXCEED \$409,000, AND FOR INSTALLATION SERVICES FROM FLAGSHIP RECREATION IN A TOTAL AMOUNT NOT TO EXCEED \$446,000 THROUGH THE STATE OF MINNESOTA COOPERATIVE PURCHASING VENTURE FOR CITY PROJECT P2023-04; WILLOWBROOKE COMMONS PARK.

4 AYES

c) Willowbrooke Ninth Addition – Final Plat

City Planner Luke McClanahan addressed the Council by stating the proposed property is at the northwest quadrant of Helmo Avenue North and 40th Street North. It is approximately 35 acres. If approved, this final plat will create 29 lots for single family residences and one outlot for future development. Access to these lots will be via new streets – Healy Avenue North and Healy Lane North. He concluded by summarizing the conditions set forth in the attached resolution and recommended the approval of the Final Plat of Willowbrooke Ninth Addition.

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER HER TO WAIVE READING AND ADOPT RESOLUTION 2023-56, APPROVING THE FINAL PLAT OF WILLOWBROOKE NINTH ADDITION, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

4 AYES

CITY ATTORNEY

No report

ADMINISTRATOR'S REPORT

a) Amend City Policy MIS-014: Public Comments and Rules of Conduct

City Administrator Chris Volkens explained the reasoning for the proposed changes to City Policy MIS-014, however, she indicated that staff is open to revising the language to convey Council's intent. It was confirmed by City Attorney Jim Thomson, prior to the start of the meeting, that the name and address of those who speak at "Open Forum" is not required by law to be included in the minutes.

Mayor Zabel was not supportive of Section 1.3 as presented, but was supportive of Section 2.1 as presented. Council Member Morcomb was in agreeance about Section 1.3 as he does not want any barriers to those who wish to speak at a Council meeting. Council Member Olson agreed to removal of the language in Section 1.3.

Staff was directed to delete Section 1.3 and make the proposed changes to Sections 2.1 and 2.9.

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER MORCOMB TO STRIKE OUT SECTION 1.3 FROM CITY POLICY MIS-014 AND LEAVE THE CHANGES THAT WERE PROPOSED IN SECTIONS 2.1 AND 2.9.

4 AYES

b) Amend City Policy MIS-007: Posting at City Offices or on Electronic Message Boards

Ms. Volkens explained the reasoning for the proposed changes to City Policy MIS-007.

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER OLSON TO APPROVE THE PROPOSED CHANGES TO CITY POLICY MIS-007: POSTING AT CITY OFFICES OR ON ELECTRONIC MESSAGE BOARDS.

4 AYES

c) Repeal City Policy MIS-016: Posting City Council Meeting Materials

Ms. Volkens explained the reasoning for the request to repeal City Policy MIS-016.

Mayor Zabel stated that the intent of the policy (when it was adopted back in early 2020) was to ensure council members were given relevant information in a timely manner in order to review it before discussing at a workshop or making decisions about it at a regular meeting.

After a review of Chapter 2, Article 3, Section 2-21 of the City Code, it was determined that the intent referenced by Mayor Zabel is covered in that section. Mayor Zabel noted that in the last three years the time in which Council receives meeting materials has been adequate, and therefore the policy may no longer be needed. The rest of the Council agreed.

Attorney Thomson clarified that the following language from the City Code, *“Agendas, together with all other relevant data, as determined by the City Administrator, that the City Council needs to consider an item on the agenda, shall be delivered to the council members at their regular place of residence no later than two (2) days prior to the regular meeting,”* is in reference to the council members receiving the information versus the council members and the public receiving the information.

Staff was requested to submit a request to edit the language in Oakdale City Code of Ordinances, Chapter 2, Article 3, Section 2-21 to clearly state that council members and the public will receive the agenda and relevant information two days before the regular meeting.

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER MORCOMB TO REPEAL CITY POLICY MIS-016: POSTING CITY COUNCIL MEETING MATERIALS.

4 AYES

COUNCIL PRESENTATIONS

Mayor Zabel made announcements about the following:

- City offices will be closed on Monday, May 29, in observance of Memorial Day.
- The Oakdale Spring Photo Contest is open for one more week. Residents can submit photos taken in the City by May 31. More information can be found on the City’s website.
- The Oakdale Landscape Revival Native Plant Market & Expo is taking place on Saturday, June 3, from 9 AM – 1 PM at the North Fire Station (5000 Hadley Avenue North). The event features local growers offering a wide variety of hearty and native plants.

- Oakdale Summerfest is one month away. Residents should mark their calendars for June 22–26. More information and the full schedule can be found on the City’s website.
- Residents can submit nominations for the Acorn Award through the City’s website until June 30.
- It is National Public Works Week. The Council would like to thank the Public Works crews for the important work they do to keep the City infrastructure running.

CLAIMS

A MOTION WAS MADE BY COUNCIL MEMBER OLSON, SECONDED BY COUNCIL MEMBER HER TO APPROVE CLAIMS FOR THE PERIOD MAY 10, 2023 TO MAY 23, 2023, IN THE AMOUNT OF \$935,982.60.

4 AYES

ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER OLSON TO ADJOURN THE MEETING AT 7:54 PM.

4 AYES

Respectfully submitted,

Sara Ludwig, City Clerk