

**REGULAR MEETING MINUTES
OAKDALE CITY COUNCIL
August 22, 2023**

CALL TO ORDER

A regular meeting of the City Council of the City of Oakdale was held on August 22, 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
Jake Ingebrigtsen
Andy Morcomb
Susan Willenbring

Staff Present: Christina Volkers, City Administrator
Sara Ludwig, City Clerk
Rachel Tierney, Assistant City Attorney
Jesse Farrell, City Engineer
Andy Gitzlaff, Community Development Director
Luke McClanahan, City Planner
Nick Newton, Police Chief
Kevin Wold, Fire Chief
Jason Zimmerman, Finance Director
Kevin Zittel, Facilities Manager

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Mayor Zabel noted the agenda had been amended and posted to the City's website.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER HER, TO APPROVE THE AGENDA AS AMENDED FOR THE MEETING OF AUGUST 22, 2023.

5 AYES

**APPROVAL OF MINUTES: Workshop, August 8, 2023
Regular Meeting, August 8, 2023**

A MOTION WAS MADE BY COUNCIL MEMBER WILLENBRING, SECONDED BY COUNCIL MEMBER MORCOMB TO APPROVE THE WORKSHOP MEETING MINUTES OF AUGUST 8, 2023.

5 AYES

A MOTION WAS MADE BY COUNCIL MEMBER MORCOMB, SECONDED BY COUNCIL MEMBER WILLENBRING TO APPROVE THE REGULAR MEETING MINUTES OF AUGUST 8, 2023.

5 AYES

PUBLIC HEARING

a) New On-Sale and On-Sale Sunday Liquor License Request: Muddy Cow Oakdale, LLC dba MC's Pub

City Administrator Chris Volkens explained that a new Oakdale business, Muddy Cow, located in the former Titans Sports Saloon location, has requested a liquor license. She noted that the license is contingent on a background check which has not been fully completed yet.

Mayor Zabel clarified that the request is for an On-Sale and On-Sale Sunday license.

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 INGEBRIGTSON, SECONDED BY COUNCIL MEMBER WILLENBRING TO APPROVE THE ISSUANCE OF A NEW ON-SALE AND ON-SALE SUNDAY LIQUOR LICENSE TO MC'S PUB, UPON COMPLETION OF A BACKGROUND INVESTIGATION BY THE OAKDALE POLICE DEPARTMENT THAT INCLUDES NO DISQUALIFYING FACTORS.

5 AYES

c) Hudson Boulevard Apartments – Planned Unit Development Amendment, Noise Variance, Preliminary Plat, Final Plat, and Site Plan

City Planner Luke McClanahan presented on the details of the proposed 130-unit four-story apartment building located immediately east of 6630 Hudson Blvd N. The developer is requesting a Planned Unit Development (PUD) amendment to deviate from the allowed density. Additionally, due to the site being located near Interstate 94, the developer also submitted a noise variance request. Mr. McClanahan reviewed the preliminary and final plats, noting a condition in Resolution 2023-81 that states the developer shall sign a declaration in recordable format agreeing to provide an access easement to Hudson Boulevard North from the property located at 6740 Hudson Boulevard North when that property redevelops. The site plan, landscaping plan, building renderings, and Viewshed mockups were also reviewed. Mr. McClanahan concluded that the Planning Commission and City staff recommend approval subject to the conditions included in the attached ordinance and resolutions, which were read at that time.

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

Justin Fincher, Vice President of Development with JB Vang, thanked City staff for their partnership throughout this process. Mr. Fincher requested that condition nine in Resolution 2023-81 be removed. The developer would like to work through the details of an access easement with the adjacent property at a later date.

Mayor Zabel closed the public hearing.

A MOTION WAS MADE BY COUNCIL MEMBER WILLENBRING, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO WAIVE READING AND ADOPT ORDINANCE NO. 884, APPROVING AN AMENDMENT TO THE GREENWAY STATION PLANNED UNIT DEVELOPMENT TO INCREASE THE ALLOWED DENSITY FOR MULTI-FAMILY DEVELOPMENT.

5 AYES

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO WAIVE READING AND ADOPT RESOLUTION 2023-80, APPROVING A VARIANCE FOR HIGHWAY NOISE LEVELS AT HUDSON BOULEVARD APARTMENTS.

5 AYES

Council Member Ingebrigtson asked why the access easement for the adjacent property is required if it is solely on the applicant's property. Mr. McClanahan explained that staff's recommendation of an access easement is to consolidate and minimize the number of accesses along Hudson Blvd N. Council Member Ingebrigtson added that it was his understanding that the applicant had agreed to all the conditions in the resolutions prior to this point. He indicated that if he were the applicant, he would expect compensation from the adjacent property owner for the shared access easement. Mayor Zabel noted that during the Greenway Avenue Station Bus Rapid Transit-Oriented Development planning process, limiting driveways and access points in this area was a large part of the conversation due to safety along the transit route. Community Development Director Andy Gitzlaff stated that the condition language was vetted by City Attorney Jim Thomson. He reiterated that staff is supportive of including condition nine in Resolution 2023-81 as a proactive measure as the Greenway Station PUD develops. Council Member Willenbring asked Mr. McClanahan to reread the condition.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER MORCOMB TO WAIVE READING AND ADOPT RESOLUTION 2023-81, APPROVING THE PRELIMINARY PLAT AND FINAL PLAT FOR HUDSON BOULEVARD APARTMENTS, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

Council Member Ingebrigtson expressed his concern with staff's recommendation to require the applicant to provide an access easement to the adjacent property without compensation. Mayor Zabel was supportive of keeping condition nine to avoid any access issues down the road if the adjacent property redevelops. Council Member Ingebrigtson suggested keeping condition nine, but adding language that the applicant will receive fair market compensation for the access easement. Assistant City Attorney Rachel Tierney cautioned that the suggested language would be difficult for the City to enforce. Council Member Morcomb suggested adding language to the condition that would require the applicant to provide an access easement upon redevelopment of the adjacent property. Mr. McClanahan confirmed that is reflected in the current language of the condition. Council Member Ingebrigtson noted that this condition solves a problem that does not yet exist. Mayor Zabel stated that the condition preserves the solution to a problem that could exist in the future.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON TO AMEND RESOLUTION 2023-81, TO EXCLUDE THE CONDITION REQUIRING THE ENTRY EASEMENT REQUIRING THE UNITED PROPERTIES OWNER UPON REDEVELOPMENT USE IN THE FUTURE.

MOTION FAILED DUE TO LACK OF A SECOND.

Mayor Zabel asked if there are any questions or final comments on the the original motion for Resolution 2023-81, as proposed. No comments or questions were raised.

5 AYES

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER MORCOMB TO WAIVE READING AND ADOPT RESOLUTION 2023-82, APPROVING THE SITE PLAN FOR HUDSON BOULEVARD APARTMENTS, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

5 AYES

OPEN FORUM

a) **Acorn Award Winners Presentation**

Mayor Zabel presented the 2023 Acorn Award to recipients in three different categories:

- Business/Commercial: Patio Town
- Public: The Church of Jesus Christ of Latter-day Saints, St. Paul MN Temple
- Residential: Jim and Donna Schuba

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

b) **Proclamation: Suicide Prevention Awareness Month**

Mayor Zabel proclaimed the month of September as “Suicide Prevention Awareness Month”.

c) **Proclamation: Building and Code Staff Appreciation Day**

Mayor Zabel proclaimed September 1st as “Building and Code Professional Appreciation Day”.

d) **Proclamation: Patriot Day**

Mayor Zabel proclaimed September 11th as “Patriot Day”.

CONSENSUS MOTIONS

Mayor Zabel pulled consensus item c).

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER MORCOMB TO APPROVE CONSENSUS MOTIONS A & B, AS PRESENTED:

- a) Request that the City Council appoint Chang Yang to the Environmental Management Commission to fill a vacancy for the period of August 23, 2023 to June 30, 2026.
- b) Request that the City Council authorize the Mayor and City Administrator to enter into an agreement with Five Bugles Design for a fire station location and facility needs study.

5 AYES

Consensus item c) Request that the City Council waive reading and adopt Resolution 2023-83, approving Labor Agreement and Memoranda of Agreement between the City of Oakdale and Minnesota Teamsters

Public and Law Enforcement Employee's Union Local #320, for the period of January 1, 2023 through December 31, 2024.

Mayor Zabel thanked City Administrator Volkers and the Teamsters Local #320 union for their efforts on the agreed upon contract.

A MOTION WAS MADE BY MAYOR ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE CONSENSUS MOTION C, AS PRESENTED.

5 AYES

ADVISORY BOARDS AND COMMISSIONS

Economic Development Commission (no meeting, Council Liaison Her)

Environmental Management Commission (8/21/23 meeting cancelled, Council Liaison Zabel)

Planning Commission (no meeting, Council Liaison Ingebrigtsen)

Parks and Recreation Commission (met on 8/15/23, Council Liaison Morcomb)

Council Member Morcomb reported that the 2024 Work Plan and an upcoming Park Tour were discussed. He encouraged residents to provide feedback to the Parks and Recreation Commission as they go on their upcoming Park Tour on September 16th.

Tree Board (no meeting, Council Liaison Willenbring)

AWARD OF BID

None

STAFF REPORTS

COMMUNITY DEVELOPMENT

a) Munson Conditional Use Permit – Additional Accessory Structure (Shed) at 7065 43rd St N

Mr. McClanahan explained that the applicant is seeking to bring an existing additional accessory structure (shed) into compliance. He concluded that the Planning Commission and City staff recommend approval.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER HER TO WAIVE READING AND ADOPT RESOLUTION 2023-79, APPROVING A CONDITIONAL USE PERMIT FOR AN ADDITIONAL ACCESSORY STRUCTURE AT 7065 43RD STREET N, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.

5 AYES

CITY ATTORNEY

No report

ADMINISTRATOR'S REPORT

City Administrator Volkens stated that Finance Director Jason Zimmerman has accepted a new position with another city. She thanked him for his dedication and instrumental work these last two years. Mr. Zimmerman will be missed. Mayor Zabel echoed Ms. Volkens' sentiment.

COUNCIL PRESENTATIONS

Council Member Her stated that the City events for Wednesday, August 23rd have been cancelled due to the excessive heat warning.

Council Member Ingebrigtsen wished Mr. Zimmerman well.

Mayor Zabel made announcements about the following:

- The Oakdale Farmers Market and the Summer Concert Series event have been cancelled for Wednesday, August 23rd due to the excessive heat warning.
- On Wednesday, August 23rd, Washington County libraries and service centers are available during business hours for those who need to escape the excessive heat. City Hall and the Discovery Center are also available for this purpose. There is more information available on Washington County's website.
- The City Council attended a ribbon cutting earlier this afternoon for the Springs at Willowbrooke.
- The City will upgrade to a new utility billing software and payment system on Tuesday, August 29th. Customers will not be able to make any utility payments on Monday, August 28th while staff are working on the transition to the new system. More information can be found on the City's website.
- Summer photo submissions are being accepted until August 31st for the Oakdale Summer Photo Contest. More information can be found on the City's website.

CLAIMS

A MOTION WAS MADE BY COUNCIL MEMBER HER, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE CLAIMS FOR THE PERIOD AUGUST 9, 2023 TO AUGUST 22, 2023, IN THE AMOUNT OF \$1,785,633.77.

5 AYES

ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER MORCOMB TO ADJOURN THE MEETING AT 7:58 PM.

5 AYES

Respectfully submitted,

Sara Ludwig, City Clerk