

**WORKSHOP MINUTES
OAKDALE CITY COUNCIL
August 23,2022**

The City Council held a workshop on Tuesday, August 8, 2022 at Oakdale City Hall, 1584 Hadley Avenue North, Oakdale, Minnesota. The meeting began at 5:02 PM.

Present: Mayor Paul Reinke

Council Members: Jake Ingebrigtsen
Susan Olson
Colleen Swedberg
Kevin Zabel

City Staff Members: Christina Volkens, City Administrator
Katie Robinson, Deputy City Clerk
Jason Zimmerman, Finance Director
Andrew Gitzlaff, Community Development Director
Lori Pulkrabek, Communications Manager
Nick Newton, Police Chief
Kevin Wold, Fire Chief
Jamie Scheffer, Senior Community Development Specialist
Jim Romanik, Public Works Manager
Brian Bachmeier, Interim Engineer

Other: Andy Morcomb, Guest (Council Candidate)

Prior to any presentations and/or discussion, Mayor Reinke reminded the Council, staff and guests these workshop meetings are for information gathering, question clarifying, and no decision making will be made as a Council body.

Mayor Reinke began by saying the following presentation is a continuation of the Comprehensive Plan with Chapter 10 specifically being one of the most critical parts.

COMPREHENSIVE PLAN CHAPTER 10 IMPLEMENTATION

Community Development Director Andy Gitzlaff began by stating, this is the seventh (7th) workshop session to review the current Comprehensive Plan. After this workshop on the implementation chapter, the follow up meeting will be to review the comment tracking. He will also be meeting with the staff Met Council sector representative and provide feedback from that meeting back to Council.

Mr. Gitzlaff started his presentation by reviewing what has already been done for the implementation process, stating that through a series of Council workshops, staff has provided a chapter by chapter overview of the Comprehensive Plan and facilitated a discussion with Council on the policies identifying the appropriate course of action to achieve the project goal, identifying if anything is missing or inaccurate, and determining whether there are certain policies that should be prioritized.

He further explained that the implementation chapter is a required component of the Comprehensive Plan by the Metropolitan Council and must include many various parts.

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Mr. Gitzlaff stated that one important note of the implementation piece is that you are not required to rezone when your property is reguided (if your property is going from a zone of residential to commercial or vice versa). However, when new applications come forward that is the appropriate time to do those rezoning's.

Mr. Gitzlaff shared and reviewed a handout that explained ten identified needs of the implementation portion of Chapter 10, along with solutions, tools, circumstances and status of each. A few needs listed were; housing burden relief, housing rehabilitation for low income households, apartments for families (3+ bedroom units), affordable housing for people with disabilities, and affordable housing for seniors.

Council Member Zabel asked who identified the 'needs' that are presented in the spreadsheet hand out. Mr. Gitzlaff replied that the information is derived from the housing chapter.

While reviewing the spreadsheet Council Member Olson asked Mr. Gitzlaff what the definition of 'affordable' is as it's used in the spreadsheet. Mr. Gitzlaff replied that it is based on an area's average medium income with 30% of your income deemed toward housing. Council Member Zabel stated that 30% definition is universal.

Mayor Reinke reiterated that identified need #7 (422 new housing units affordable for 30% AMI, #8 (200 new housing units affordable for 31 to 50% AMI) and #9 (169 new housing units affordable for 51 - 80% AMI), are established by the Met Council and that is the entity doing this and for us to be eligible for any type of funding, thus in essence we would have to say yes we are willing to strive towards this. Mr. Gitzlaff replied yes, this is accurate; the only difference in this information vs. Metropolitan Council's information is this split per AMI.

Council Member Olson asked on the specific numbers presented do we have a way of measuring how we are going to meet those numbers or are we actively trying to meet these numbers?

Mr. Gitzlaff responded stating the numbers originate from regional allocations from Metropolitan Council and they are numbers we strive to reach by 2040.

While Mr. Gitzlaff continued to reviewed the spreadsheet, Council Member Zabel interjected on #10 (Tools to address multiple housing needs and improve our housing strategy capacity in general), He advocates to remove inclusionary housing policy (listed as a tool for this need), as he feels it's not an appropriate use for local government. He says it essentially states that you have to do 'this' if you want to build in our city and expressed that it is a barrier for developers. Council Member Swedberg agreed to have it removed.

Mayor Reinke asked Mr. Gitzlaff to do more research on this topic and bring it back to Council.

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Council Member Zabel asked for clarification as to what it is that staff wants from Council at the Workshop on this topic, as there are items that he would like to have more information on or does not agree with such as the manufactured homes zoning district. Council Member Zabel stated that if this is included in the Comprehensive Plan it ties the hands of the property owner in his view. Mayor Reinke replied saying that depends on what the zoning district says and we need clarification on that.

Another item Council Member Zabel mentioned is the 4D Housing Agreement (this states the City would consider establishing an agreement with apartments to extend affordability contracts), as he feels using taxpayers' funds to buy down rent is not an appropriate use of our resources.

Council Member Olson brought up how the document is referencing TIF as a funding tool and asked if it should be referenced at all in the event that it may not be used. After a brief discussion it was agreed upon that yes, the language should stay and TIF would be used if needed as a tool. The caveat is that its use should be on a case-by-case basis.

Mr. Gitzlaff stated that staff will do some more research on the specific areas of discussion and will bring the findings back to the group.

TEMPORARY USAGE AGREEMENT AND PEER COMMUNITY RESEARCH

Community Development Director Gitzlaff took a moment to introduce new employee, Senior Community Specialist, Jamie Scheffer. Ms. Scheffer prepared the material for the Temporary Usage Agreement and Peer Community Research topic.

Mr. Gitzlaff reminded Council that they had previously directed staff to reach out to peer communities to better understand practices for temporary usage of City-owned land by private parties, including if fees or a lease is required and how the fee or lease is calculated if so. In response to that request, staff reached out to neighboring communities and networks to gather examples.

Mr. Gitzlaff presented the following examples of fees charged;

- Land leased for farmland- taxed for farming use- charged slightly more than taxes costed
- City park parking lot- leased to business for employee parking for 15 years- unexpectedly hit with commercial tax rate “because this was a long-term lease for a for-profit entity”
- City buildings- leased to state of MN- maintained non-profit tax status- charged area average combined with state average rate paid for leases
- City buildings- leasing to a non-profit (keeping non-profit tax status), and charging lower average commercial rates due to low demand.
- City/Economic Development Authority property- used license agreements- charged a minimal fee of \$1 or less but used language to protect city (insurance and indemnity) and the property (no storing of contaminants on site, site restoration)

He also highlighted a few best practices identified by staff, such as;

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- If a lease were desired, potential tax implications from the parcel use becoming commercial in nature, versus non-taxable government use would need to be further explored.
- As is done currently, continue to include insurance and indemnification language to protect the City.
- As is done currently, continue to protect the site with language about storing to original condition and collecting an escrow.

Staff requested Council to review the research findings and discuss whether a fee is appropriate going forward.

Mayor Reinke stated he does not need to see a fee involved if the usage is under one year and there is some type of agreement of no contaminants, abide by said rules, etc.

Council Member Ingebrigtsen asked how will the City determine who can and who cannot use land for temporary use.

Council Member Zabel stated, the bigger question is what currently guides this practice? Is it an internal policy, an ordinance or something else?

Mayor Reinke stated that although unspoken, his assumption was that it is land to be used for an adjacent activity (adjacent to the requester's project location). City Administrator Volkens agreed with that statement and said it would be project based.

Council Member Ingebrigtsen expressed that the point is someone is profiting from the use of City property for free and he does not feel that is fair to the residents. Ms. Volkens asked him, do you consider that the project happening thus the request for use of city property would benefit the City in the long run through property taxes resulting from the new project, etc.? Council Member Ingebrigtsen reiterated that letting a private entity use City or Government property for free while they are profiting from it, does not make sense to him.

Council Member Zabel stated he is comfortable with the process the City currently uses, however, something has to guide that. The request presented talks about private parties, would it be a different situation if it's a private entity doing a project for MnDOT (a government agency)? He expressed that some parameters need to be set to guide the process.

City Administrator Volkens recapped that what she is hearing from the group is there is no interest in charging a fee (from most members of Council), however, there needs to be criteria in place to guide this process and once that happens it can be brought back for review. Council Members Olson and Swedberg confirmed, yes.

TIME WITH THE COMMUNICATIONS MANAGER

Communications Manager Lori Pulkrabek addressed the group and noted the addition of the new position of Communications Specialist held now by Sara Quinnell (Ms. Quinnell was not in attendance).

A few project updates from Ms. Pulkrabek were the redesign of the printed newsletter, which is currently in the works and should be distributed in the third week of September, and the redesign of the City of Oakdale website.

The redesigned website currently has a planned launch in September 2022. A new URL address of oakdalemn.gov will launch in the fall after the redesign is complete. Following the URL change, a second phase will include the transition of all employee email addresses to firstname.lastname@oakdalemn.gov which is a much-simplified email address for all. It was noted that all mail/website inquiries using the current URL - ci.oakdale.mn.us - would forward to the new URL for an extended period of time.

Mayor Reinke asked Ms. Pulkrabek if the redesigned website will have a municipal government ordinance page. City Administrator Volkens explained that an outside service is hoped to be hired to maintain an ordinance page that is accurate and up-to-date going forward.

Another update Ms. Pulkrabek shared is about the L.O.S.T. (Local Options Sales Tax). There are now fact sheets available for residents and businesses. Communications is also working on a designated web page that will have more detailed information. She will also be scheduling a listening session for the public to provide the opportunity for discussion and feedback.

Ms. Pulkrabek also provided an update about her presentation with Mayor Reinke and City Administrator Volkens and Finance Director Zimmerman to the Oakdale Area Chamber of Commerce (OACC) Board of Directors on Thursday, August 18, 2022. The OACC Board voted unanimously in favor of supporting the L.O.S.T. and will be writing a letter of support in that regard.

Council Member Olson asked Ms. Pulkrabek what the guidelines are as far as replying to social media request/comments. Ms. Pulkrabek explained that Communications will reply to inquiries/comments/concerns as soon as they have factual information to share and explained it may take a little bit of time to communicate with other City staff to obtain the information needed for a factual response.

City Administrator Volkens reminded the group that the City currently has a social media policy and that it will be updated to allow for room to remove comments under certain conditions such as personal attacks.

Council Member Zabel mentioned that he believes that since it's a government channel, the City may not have the ability to remove items unless it's of a threatening nature. Ms. Volkens will meet with Legal to confirm restrictions on this matter.

REPLACEMENT OF PLAYGROUND EQUIPMENT AT EBERLE PARK

Public Works Manager Jim Romanik began his presentation with a brief overview stating that the staff, city Commissions and some Council members have suggested some playground equipment in select parks be replaced due to age; as much of the identified equipment was originally installed in 1995. He also reminded the City Council that during the 2022 CIP discussions regarding parks, the Council asked staff to find opportunities to fund playground equipment – hence why we are discussing this today.

As part of the 2023-2027 Capital Improvement Program (CIP), there were five parks proposed for playground equipment replacement. However, Eberle Park, located at 3888 Hadley Avenue North, has also been identified for the replacement of playground equipment possibly in 2022 but has not been noted nor has funding planned in the CIP.

Mr. Romanik noted the current Park Fund would not have enough funds to cover the entire cost of the Eberle Park project, and Ms. Volkers suggested the possibility of using the Charitable Gambling Fund to cover the remainder of the expense. Mr. Romanik then asked Council for feedback and direction for this park project as he would like to bring this back to the Parks Commission in September for their support, then back to a Council meeting in October.

Council Member Ingebrigtsen asked why don't we treat this project like we would a streets project with a longer-term goal and timeline?

Council Member Zabel states it feels like it's a start to a very long-term process as to where all of the playgrounds are coming up with needs for replacement and maintenance. He would rather see the City pause and get a process in place to evaluate things such as condition and / or use so when decisions are made to change/replace, then it's based on something. For example; other cities have "Park Management Plans". This would better serve Oakdale long-term.

Council Member Olson stated her concern was that if the City is replacing equipment with the same equipment, the current neighborhood demographics might not want the same equipment. Council Member Swedberg agreed with this and stated more things should be considered when making these changes besides the age of the equipment.

Mayor Reinke asked Mr. Romanik if the equipment at Eberle Park is currently hazardous or dangerous. Mr. Romanik replied that no it is not currently hazardous; however, it becomes increasingly difficult to obtain replacement parts the older the equipment gets.

Mayor Reinke asked Council, if it is their intention to say yes, it is ok to replace this and evaluate the replacement of equipment on a regular basis and figure out a process to do so. This was not fully answered by Council Members.

City Administrator Volkers replied stated it is on the 'to do' list to visit each park, research and evaluate each park needs based on demographics and other criteria, however, for now it's more of an immediate need to start replacing the equipment in various parks.

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She agreed that having a program for park rehabilitation is a great idea, but there is currently no staff available to do this. She also shared a couple options as to how we could get a program started; one being the City could hire a consultant (not preferred), or hire an intern possibly from Master's program – such as a park Engineer for the spring, summer and fall and provide them with criteria to evaluate, or lastly, the City could do one park and then build a program for future replacement projects. Mayor Reinke agrees with the Master's intern option.

Council Member Zabel said there needs to be a process first. Also, referring to Council Member Olson's point of type of equipment, it would benefit the City to research 'modern' parks as well.

City Administrator Volkens reminded Council this was a direction they wanted the Parks Commission to take (replacement of equipment) and now that staff has brought back these recommendations on what needs to be done, Council is offering alternative intent. Staff is responding to the previous request and if the intent has changed, then we understand. Council Member Olson supported this recollection and thanked staff for following through on council's previous request. Ms. Volkens stated she would research other City's park plans and come up with some examples for Council to review at a future meeting.

Council Member Swedberg thanked the Parks Commission for working on this and bringing forth their recommendations.

WILLOWBROOKE OPEN SPACE TRAILS NETWORK

Community Development Director Gitzlaff began his presentation with a brief overview of the trails project.

He reminded Council that back on June 30, 2021 the City executed a Master Planned Unit Development Agreement with White Star Farms, LLC and U.S. Home Corporation (Lennar) for the public improvements within the Willowbrooke development and that the City is obligated to construct, at its sole expense, and maintain the entire public trail and sidewalk system within the open space. (All other sidewalks/trails as part of the development will be constructed by the developer(s) at their sole expense and maintained by their Home Owners Association).

Mr. Gitzlaff then noted that the previous approved plans for Willowbrooke included an extensive conceptual trail network through the open space and recently staff, in consultation with the developer Lennar, have come up with a proposal to reduce the total number of trail segments to a more manageable amount. He explained by doing so it would eliminate some of the redundancies within the trail and sidewalk network and maintenance costs.

Mr. Gitzlaff shared a handout that mapped out the development highlighting the proposed changes and noted some of the reason for elimination in certain areas such as too many trails near/around a house, cost effective funding for maintenance, and to alleviate confusion of whether it is for public use or private use.

Council Member Ingebrigtson expressed to Mr. Gitzlaff that he/staff did a very good job with the map and highlighting the areas of the proposal.

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Mayor Reinke agreed and asked the group as a whole if they agree with the proposed changes located south of 40th Street, in which all replied, yes. The trail network north of 40th Street will be reviewed and revised with Council input concurrent with development.

COUNCIL TOPICS

Council Member Swedberg brought up the topic of the new proposed contract for a School Liaison for the 2022 – 2023 ISD 622 school year.

Mayor Reinke stated that Community Service Officer Bill Fetsch does a nice job as a school liaison; however, it is unreasonable to have him doing Tartan and several other schools. He expressed that it is very inappropriate that the school board did not fund for one additional liaison especially with the building additions to the school that are currently happening.

Council Member Zabel stated that he spoke to a school board member and they had no idea and never received a request from the City of Oakdale to add staff. City Administrator Volkens confirmed that the district administrative staff did receive the request, not school board elected officials.

Mayor Reinke made a note to rephrase his previous comment to acknowledge the possibility that the school board wasn't aware of our request although school administration was aware, so he suggested that Council consider saying yes to this proposed \$74,000 contract for this school year and make it very clear that going forward it has to be changed.

Council Member Zabel disagreed with waiting until the next contract to make changes and stated if the issue is pushed down the road, the school board will not do anything about it. He suggested to change the agreement to reflect a termination date of 12/31/22 as this would give them four months to make the changes and /or add staff, he also noted they do currently have the funds to hire another position.

Council Member Olson said maybe the Superintendent does not agree it is a critical need and the Council cannot force the school district to do this. Council Member Olson would not agree to end the contract on 12/31/22. She strongly stated that the school liaison position cannot be taken away from those students. Council Member Zabel replied stating that by putting a shorter deadline on the contract, which is basically holding their feet to the fire and forcing them to decide. He also pointed out that it is the same thing if we keep the contract through May - they have to decide at that time anyway.

Council Member Ingebrigtsen said that Council Member Zabel is 100% correct and that the issue has been kicked down the road for the past four years and nothing has happened. It is time for Council to make it clear to them that something has to change or they need to take care of their staffing requirements from somewhere other than the City of Oakdale.

Council Member Swedberg asked if we proceeded with a 12/31/2022 deadline and the school district did not add another SRO by then, then in January would Officer Fetsch be pulled from this position. Council Member Zabel replied yes.

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Council Member Swedberg reminded Council Member Zabel that if that happened, the City would have to absorb the salary of that position and that was not planned for in the budget. Council Member Swedberg clarified that is why she suggests waiting until this contract is complete.

Mayor Reinke interjected stating he would not support a deadline of 12/31/2022.

Council Member Zabel asked what would be the difference in saying they have to figure something out by December or May. Council Member Olson replied, "Who are we to say they have to do this because it's what we want them to do?" Council Member Zabel replied because their infractions would spill out into our neighborhoods, streets and parks. Council Member Olson agreed, but reiterated that the Council cannot force them to decide.

Council Member Ingebrigtsen responded then why don't we just not provide the officer at all?

Mayor Reinke interrupted stating the monies are committed on both sides for 9 months with the current proposal and he is hopeful Council will take the attitude that the students will be served at minimal through the current proposal and by our comments tonight we will make it clear that their actions are unacceptable and they need to make a change. Mayor Reinke also suggested to the group that he and /or members of Council should attend a future school board meeting.

Council Member Ingebrigtsen stated the elected body of Oakdale is not responsible for the schools or the students while they are in the schools. This is the school board's responsibility.

Mayor Reinke asked Council Member Ingebrigtsen if there is a significant issue at a school do we have any responsibility. Council Member Ingebrigtsen replied, no, we are not the school board and we don't set the policies for the school district at all. Mayor Reinke replied that that position is very black and white in dealing with a gray issue and that is ok, as all do not need to agree. Mayor Reinke suggested that we will take a vote at Council and be done with it because we are not making decisions here in the workshop.

Council Member Olson stated she would never do that to the kids. She currently has a niece in ISD 622 and would never put her at risk. Council Member Ingebrigtsen replied to that statement saying he also has kids in the ISD 622 and will make it known that neither the Superintendent nor the school board have done anything to collaborate with the City Council.

Mayor Reinke asked the Chief of Police if a 911 call comes in for Skyview and Officer Fetsch is at Tartan, who will show up at Skyview? The Chief responded that a police officer will show up and Officer Fetsch as soon as he is able.

Council Member Ingebrigtsen replied stating the school district is straining our resources and we need to tell them they need to act.

Mayor Reinke is surprised the school board does not know about this issue per Council Member Zabel's comment. Council Member Olson stated she does not believe they do not know about it.

Council Member Ingebrigtsen strongly agreed with Council Member Olson's statement.

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City Administrator Volkens asked Mayor Reinke if he still plans to attend a school board meeting. Mayor Reinke replied yes to that and invites any of the Council to attend as well. He then asked Ms. Volkens to prepare a letter to the Superintendent.

Council Member Olson asked if two letters can be prepared one letter from administrator to administrator and then a second letter from elected official to elected official. Ms. Volkens replied yes that is what she will do.

Council Member Ingebrigtsen stated that he would like his signature on the elected letter. It was then decided that that letter would be signed by all of Council and the Mayor.

City Administrator Volkens asked Council Member Swedberg to clarify where she stood on this issue and she replied that she will support the current proposed contract but it will have to change after this year.

Council Member Olson shared that the Superintendent is very unresponsive in general so maybe discussing this letter on camera at the Council meeting will help push the issue.

Council Member Zabel said he feels it is not effective to stretch one personnel across several schools. Mayor Reinke then asked Council Member Zabel if he would support having the school liaison officer at just the high school to which Council Member Zabel stated he would agree to that but that is not what the agreement states.

Mayor Reinke then moved the conversation to other Council topics.

Council Member Zabel noted that the COVID forgiveness loans are coming due one year from next month and asked what is staff's plan to notify the business? City Administrator Volkens replied that the businesses have already being notified. He also brought up the water main break that the City experienced on Tuesday, August 23, 2022 and asked if there was any discussion as to reimbursing residents for that short period of time. City Administrator Volkens replied yes, there was a discussion and it was found that it is so minimal, per resident, as the fee is based on thousands of gallons and residents only used an extra 50 gallons approximately to flush their lines out thus a reimbursement was not recommended.

Mayor Reinke asked Council Member Zabel if he would be ok with having Ms. Volkens and Finance Director Jason Zimmerman, get back to the group with information as to whether there is a means to do process a reimbursement. Council Member Zabel replied yes.

Council Member Ingebrigtsen stated, to the City Administrator's point, it would literally come out to pennies back to the resident.

Mayor Reinke's update was in regard to the recent report/update of the development activities in the City which he feels was nicely done and said he cannot imagine all the work that is currently out there including the detail in the conversations, the processes and the work that all city staff

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including building Inspections, does including all this development work is on top of all the roof inspection requests that have come in. Mayor Reinke shared he thinks it's very cool and there is also a sensitivity to all of this, which is to request council give the staff a break if there is a need that can wait.

Council Member Ingebrigtson asked if he stated that Oakdale would be built out by the end of this decade is reasonable to say. City Administrator Volkens and Community Development Director Gitzlaff both stated, yes that is a reasonable statement.

ADJOURNMENT

The workshop was adjourned at 6:54pm.

Respectfully submitted,
Katie Robinson
Deputy City Clerk