

**REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF VADNAIS HEIGHTS
AUGUST 7, 2019**

The meeting of the Council of the City of Vadnais Heights was held on the above date and called to order by Mayor Gunderson at 7:04 p.m.

Everyone present stood and said the Pledge of Allegiance.

ROLL CALL

Upon roll call, the following members were present: Mayor Heidi Gunderson, Council Members: Craig Johnson, Patricia Youker, Greg Urban and Robert Morse.

The following members were absent: None

Also present were: Kevin Watson, City Administrator, Tim Sandvik, Assistant City Administrator, Nolan Wall, Planning/Community Development Director, Ed Leier, Fire Chief, Bob Sundberg, Finance Director, Caroline Bell Beckman, City Attorney, and Peggy Aho, Deputy City Clerk.

City Administrator Watson provided several announcements.

APPROVAL OF AGENDA

Upon motion by Morse, seconded by Johnson, it was

19-08-218 “RESOLVED that the August 7, 2019 Regular Meeting Agenda be approved as amended and presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

APPROVAL OF MINUTES

A. July 16, 2019 Regular Workshop Meeting

Upon motion by Youker, seconded by Morse, it was

19-08-219 “RESOLVED, to approve the July 16, 2019 Regular Workshop Meeting Minutes, as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

B. July 16, 2019 Regular Council Meeting

Upon motion by Urban, seconded by Johnson, it was

LB

19-08-220 “RESOLVED, to approve the July 16, 2019 Regular Council Meeting Minutes, as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Johnson, seconded by Morse, it was

19-08-221 “RESOLVED, that the Consent Agenda Item #7A-7I for the August 7, 2019 meeting be approved as follows:

- A. Approve Claims #77790 Through #78037 and Electronic Claims #1393 Through #1402 for Payment
- B. Approval of Outdoor Public Event Permit for A “Carnival Outreach Event” with Twin Cities Grace Fellowship
- C. Approve a Public Outdoor Event Permit for the 44th Annual Heritage Days Event
- D. Accept and Acknowledge 2019 Heritage Days Grants/Donations
- E. Accept Drainage and Utility Easements and Encroachment Agreements for 506 and 512 Bear Avenue South
- F. Authorization to Sell Inoperable Hydraulic Lift – VHFD
- G. Approve a Public Outdoor Event Permit for Macaluso’s Roadhouse
- H. Accept Quarterly Building Report
- I. Approve Extension of Introductory Period for Ryan Fure.”

Ayes – 5 Nays – 0

The resolution was adopted.

OPEN TO THE PUBLIC: None

PRESENTATIONS:

PUBLIC HEARINGS:

- A. Consider Approval of a Minor Subdivision at 3749 Nature View Trail/3753 Centerville Road

Planning/Development Director Wall noted that this Public Hearing is continued from the July 16, 2018 meeting because the application was not complete and staff asked that it be continued to the August 7th meeting. The application has been finalized. Wall gave an overview of the request for the shared property lot line adjustment and the Drainage and Utility Easement Vacation and the Drainage and Utility Easements.

Mayor Gunderson opened the Public Hearing at 7:12 p.m. No one wished to speak, so Gunderson closed the Public Hearing at 7:12 p.m.

Upon motion by Johnson, seconded by Morse, it was

19-08-222 “RESOLVED, to approve a resolution approving the minor subdivision at 3753 Centerville Road and 3749 Nature View Trail as proposed in Case 19-012 based on the finding of fact that the request is consistent with the applicable City Code standards and consistent with the Comprehensive Plan.”

Ayes – 5 Nays – 0

The resolution was adopted.

Upon motion by Johnson, seconded by Youker, it was

19-08-223 “RESOLVED, to approve a resolution approving the vacation of a portion of a certain drainage and utility easement at 3749 Nature View Trail and that the Mayor and the City Administrator are authorized to sign all documents necessary to effectuate the intent of this resolution.”

Ayes – 5 Nays – 0

The resolution was adopted.

OLD BUSINESS:

A. Consider Approving an Agreement with Comcast

City Administrator Watson gave an overview of the history of the item before the Council for consideration. He noted that the current Joint and Cooperative Agreement with Ramsey Washington Suburban Cable Commission expires at the end of August. An item of concern for the City are the fees that are being charged to the subscribers/residents of Vadnais Heights. The Council felt that the fees were too high and unnecessary. Watson noted that before the Council for consideration is an ordinance granting a cable television agreement with Comcast and authorization for the City Administrator to send notice of withdrawal to the Ramsey Washington Suburban Cable Commission. The new agreement would be in effect September 1 and requires an up front payment. Watson noted that leaving the Cable Commission requires that the City needs to pursue a new company for productions services.

Council Member Urban asked about the status of negotiations for the local sports broadcasts. Watson said that they are going to discuss the local sports broadcasts with the Cable Commission to see if they could provide broadcast for the residents. He will also notify the School District.

Upon motion by Johnson, seconded by Youker, it was

19-08-224 “RESOLVED that the Council approves the Ordinance granting a cable television franchise agreement with Comcast of Minnesota and authorizes the City Administrator to send notice of withdrawal from the Ramsey Washington Suburban Cable Commission effective December 31, 2019.”

Ayes – 5

Nays – 0

The resolution was adopted.

NEW BUSINESS:

A. Consider Approval of a Conditional Use Permit/Site Plan at 379-403 Commerce Court
Sara Woolf, Landform, gave an overview of Tramm Developments Conditional Use Permit and Site Plan application for 379 - 403 Commerce Court. She noted that the applicant is requesting approval to construct three structures on the site containing 13 garage-space condominiums on the property. The property is zoned office business and is part of a CIC plat. Woolf reviewed the site plan, architectural drawings, landscape plans and signage plans.

Council Member Urban said that these units are for businesses. He said he finds it strange that employees will be prohibited on the site. He said he is troubled by those conditions. Council Member Johnson raised concern about the signage, in particular the tenant signage. Woolf said that they would be allowed to apply for window signage.

Council Member Morse inquired about security systems on the property. Woolf there is no fencing or gating planned for the site. Kim Tramm, Tramm Development, said that he is very excited to get this project in motion and launched. He said that it should be a real boost to the area. He said that they can take a look at security, perhaps fencing or motorized gates could be used, but that ultimately at this point they don't feel the need for it.

Tramm noted that he is concerned about three prohibited uses. His concerns include: 1) the proposed condition limiting access to the site to only unit owners or renters; 2) storage of hazardous waste; and 3) limitation of hours. He said that he feels limiting access to just owners or renters would be restrictive and could economically affect the value of the units. He also said that limitation on storage of hazardous materials on site should be left up to laws of the State and the City's ordinances. He said that the units are going to be expensive to own, and that limiting the hours of operation or access could also affect the marketability of the property.

Urban said that it sounds like the request for signage is being denied and will that affect the marketability of the units. Tramm said he would like the language regarding the signage to be more liberal because he is not sure who signage would affect negatively other than the tenants. Mayor Gunderson asked if there would be consistency with font style and size.

Tramm said that he believes the size of the signs and type and styles would be uniform because the tenants would want consistency throughout.

Upon motion by Urban, seconded by Johnson, it was

#19-08-225 “RESOLVED that the Council approves the Conditional Use Permit and Site Plan at 379-403 Commerce Court based on the findings of fact with the following conditions that the applicant shall comply with the following:

- a. *Intent*: The intent of the garage-condominium units shall be for offices and services for professions, businesses and hobbyists. There shall be no sales from the site. The following activities are appropriate and fit the intent of the use:
 - i. Offices.
 - ii. Workshops.
 - iii. Studios.
 - iv. Hobby Areas.
 - v. The pickup and deposit of goods and/or property in storage.
 - b. *Prohibited uses*: The following uses are explicitly prohibited:
 - i. Conducting retail sales of any kind.
 - ii. Residences.
 - iii. The keeping of animals, including boarding or breeding.
 - iv. Outdoor storage: all goods and property stored in a garage-condominium unit shall be stored in an enclosed building. No outdoor storage of boats, RVs, vehicles, etc., or storage in outdoor storage pods or shipping containers is permitted.
 - c. *Parking*: No overnight or extended parking shall be allowed outside the units.
 - d. *Signage*: Signage will be allowed as long as it is uniform and in compliance with the approved plans and has City staff approval.
 - e. *Common Space*: Common spaces must be maintained by an Association. Maintenance of open spaces shall outlined in Association governing documents and shall include provisions for snow plowing and shoveling.
 - f. *Noise*: The use shall abide by noise regulations and standards found in the City Code.
2. The applicant shall comply with the City Engineer’s memo dated July 17, 2019.
 3. The applicant shall comply with the City Attorney’s memo dated July 2, 2019.
 4. The applicant shall comply with the City Fire Department’s memo dated June 24, 2019.
 5. The applicant shall comply with the Vadnais Lake Area WMO memo dated July 1, 2019.
 6. The applicant shall revise and resubmit plan sets as part of a subsequent development agreement to the City to show:
 - a. Dimensioned elevations for all proposed buildings.
 - b. The percentage of landscaping in relation to the parking area to comprise at least 4% of parking area.
 - c. Compliance with VLA WMO pertaining to wetland buffer plantings.
 - d. Revised lighting plans OR a written agreement between the property owners allowing lighting to be installed on adjacent property.
 - e. Trash/recycling container locations, designed in compliance with applicable code requirements.

7. The applicant shall provide lighting fixture cut sheets and pole details to ensure cut-off fixture requirements are met.
8. The applicant shall provide material samples of all proposed building materials for review and approval by the City.
9. The applicant shall submit the CIC Plat to the City for preliminary and final plat review/approval, prior to issuance of any building permits.
10. The applicant shall provide Association Governing documents for review and approval by the City, including rental policies and maintenance of open spaces.
11. The following shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles, prior to any mortgages, liens, or similar interests:
 - a. Resolution evidencing approval of the severance from the CIC plat.
 - b. Declaration of Conversion of Common Elements to Ownership or Severance from the Oak Knoll Business Association HOA.
 - c. Any and all plats subsequently recorded with Ramsey County pertaining to the subject property.
 - d. Plat documents shall be in recordable form and shall be submitted to the City.
12. In the event there are any new mortgages or other interests in either property, signed original consents shall be required.
13. Drainage and utility easements shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles.
 - a. Applicable existing easements shall be vacated.
 - b. The new easements shall be filed concurrently with the plat.
 - c. The easement documents shall in recordable form and shall be submitted to the City for review and approval.
14. The applicant and all parties with interest in the subject property shall enter into a development agreement with the City, approved by the City Council and recorded against the property, that assures that elements of the applications proposed by the applicant or imposed by the city shall be carried out, prior to issuance of a building permit.
15. Prior to release of the remaining escrow funds, the applicant shall provide a recorded copy of the easements and plat to the City.

Ayes – 5

Nays – 0

The resolution was adopted.

B. Consider Setting Tuesday, August 20, 2019 Workshop and Agenda:

City Administrator Watson noted that the next Regular Workshop meeting is scheduled for Tuesday, August 20, 2019 and the agenda may include: 2020 Budget and an update from Susan Vento, the City's Metropolitan Council representative, on the Council's Transportation Committee, and if there is enough time we will talk about pavement management again.

COUNCIL AND DEPARTMENT REPORTS

Public Works Director Farrell noted that City staff held a community meeting at the only lift station in town to get input from the adjacent property owners on how they would want the site to look. He said that they plan to meet with the residents again and then will come back before the Council with a proposal. He said that residents and businesses have been very patient in the City as the 2019 street reconstruction projects occur. The work should be completed by the end of the month. He said that the Buerkle Road project should occur mid-September. He also noted that the City is doing sewer work in conjunction with Ramsey County's work on McMenemy. The County is also planning on resurfacing Rice Street from the north side of the bridge construction all the way through Vadnais Heights up to Hwy. 96 in Shoreview. Work should occur next week. Farrell said that two weeks ago staff took part in a highway clean up on Hwy. 96 which was spearheaded by F&M Bank through their annual community impact event.

Wall thanked Sara Wolfe for her work on the Tramm Development project.

Council Member Morse noted that the Heritage Days Committee has been working very hard. He also noted that he attended a consortium of cities meeting on the 31st of July at the Vadnais Heights Commons. White Bear Lake School District and all the Cities within the district were present.

Council Member Urban asked if the City Code can be looked at and possibly rewritten so that permitting process doesn't take so long.

City Administrator Watson thanked the Council for their support with the Comcast Franchise negotiations. He noted that he went to Night to Unite and thanked the Fire Chief and his crew for hosting the even and also thanked the County Sheriff's office for their participation.

Deputy Clerk Aho reminded people to get out and vote on the 13th of August.

A motion to adjourn was made by Council Member Johnson at 8:17 p.m. Meeting adjourned.

Respectfully submitted,

Kevin Watson, City Administrator

