

**REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF VADNAIS HEIGHTS  
OCTOBER 5, 2021**

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 7:02 p.m.

**ROLL CALL**

Upon roll call, the following members were present: Mayor Heidi Gunderson, and Council Members Greg Urban, Patricia Youker, Steve Rogers and Erik Goebel.

The following members were absent: None.

Also present were: Tim Sandvik, Assistant City Administrator; Nolan Wall, Planning/Community Development Director; Jesse Farrell, City Engineer/Public Works Director; Chris Hearnden, Fire Chief; Caroline Beckman, City Attorney; and Peggy Aho, Deputy.

Assistant City Administrator Sandvik provided several announcements.

**APPROVAL OF AGENDA**

Upon motion by Urban, seconded by Youker, it was

#21-10-138 “RESOLVED that the October 5, 2021 Regular Meeting Agenda be approved as presented.”

Ayes – 5                      Nays – 0

The resolution was adopted.

**APPROVAL OF MINUTES**

A. September 21, 2021 Regular Workshop Meeting

Upon motion by Goebel, seconded by Urban, it was

#21-10-139 “RESOLVED that the Council approves the September 21, 2021 Regular Workshop Meeting minutes as presented.”

Ayes – 5                      Nays – 0

The resolution was adopted.

B. September 21, 2021 Regular Council Meeting

Upon motion by Youker, seconded by Urban, it was

#21-10-140 “RESOLVED, that the Council approves the September 21, 2021 Regular Council Meeting minutes as presented.”

Ayes – 5

Nays – 0

The resolution was adopted.

### **APPROVAL OF CONSENT AGENDA**

Upon motion by Goebel, seconded by Urban, it was

#21-10-141 “RESOLVED, that the Council approves Consent Agenda Items #7A through #7I for the October 5, 2021 meeting as follows:

- A. Consider Approving Claims #81169 through #81223 and Electronic Claims #1677 through #1682 for Payment
- B. Consider Approving Certification of Delinquent Utility Accounts
- C. Consider Approving a Leave of Absence Request for Joe Kerska, Firefighter
- D. Consider Approving a Leave of Absence Request for Patrick Costello, Firefighter
- E. Consider Approving Fire Relief Association’s Request for an Increase to the Pension Amount
- F. Consider Approving a 2021 Bowhunting License for Hans Henning Hunting at 467, 470 and 486 Bear Avenue N
- G. Consider Accepting Planning Commissioner Cordes’ Resignation, Make Appointments and Authorize Staff to Advertise Open Seat on the Commission
- H. Consider Approving the Amended Reciprocal Emergency Services Agreement with the City of Maplewood
- I. Consider Approving Submission of a Letter of Support for a Grant Opportunity for Safe Routes to Schools.”

Ayes – 5

Nays – 0

The resolution was adopted.

### **OPEN TO THE PUBLIC**

Mayor Gunderson opened the meeting to the public at 7:06 p.m. There being no that wished to speak, Gunderson closed the meeting to the public at 7:07 p.m.

### **PRESENTATIONS:**

- A. Proclamation: National Fire Prevention Week, October 3-9, 2021

Mayor Gunderson read the following proclamation proclaiming October 3-9, 2021 as National Fire Prevention Week.

**Proclamation**  
**National Fire Prevention Week, October 3-9, 2021**

WHEREAS, the City of Vadnais Heights is committed to ensuring the safety and security of all those living in and visiting our state; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Vadnais Heights residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, residents will make sure their smoke and CO alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, Vadnais Heights first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2021 Fire Prevention Week™ theme, “Learn the Sounds of Fire Safety™,” effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

NOW THEREFORE, I, Heidi Gunderson, Mayor of Vadnais Heights do hereby proclaim October 3–9, 2021, as Fire Prevention Week and I urge all the people of the City to “Learn the Sounds of Fire Safety” for Fire Prevention Week 2021 and to support the many public safety activities and efforts of fire and emergency services.

**PUBLIC HEARINGS:**

A. Kennel Application at 3910 Clover Avenue

Assistant City Administrator Sandvik reviewed the item before the Council for consideration. The application requirements include that a majority of the neighbors within 350 feet need to recognize the application and have support for it and the applicant has met this requirement. Sandvik noted that the public hearing was properly noticed. Sandvik reviewed the action needed to consider approving the kennel license with the conditions that the owner must supply proof of licensing with the City.

Council Member Youker asked if anyone was against the kennel license being approved. Sandvik replied that staff did receive a couple phone calls about the process, but did not receive documented objection to the License.

Mayor Gunderson opened the public hearing at 7:12 p.m.

Jennifer Dolney, 3924 Clover Avenue, said that she owns the home to the north of 3910 Clover Avenue and said that she is concerned about approving the license because if this license is granted there may be issues of having no control over how many animals there would be at that address. Dolney asked if it would be possible to limit the number of animals to what there currently is. She also asked that the City confirm that all of Officer Lee's requirements have been met and that it is only for the animals she currently has.

Mayor Gunderson closed the hearing at 7:19 p.m.

Sandvik noted that the kennel and subsequent license would only include the animals listed in the kennel application. Sandvik also noted that Animal Control Officer recommends approval of the license as is documented in the application and Council item

3910 Clover Avenue property owner/applicant, Joanne Hemann-Mundt, addressed the Council. She said that the animal did complete training and also have the requirements that were conditioned.

Council Member Urban asked what recourse the City would have if the conditions of the license are not met. Sandvik replied that like any other kennel license, there is an ongoing component and that if residents are having issues they should contact Officer Lee.

Council Member Rogers asked if the applicant added another dog or pet, would they have to fill out another application. Sandvik replied that it would mean another application process, if additional animals were added.

Upon motion by Urban, seconded by Goebel, it was

#21-10-142 "RESOLVED, that the Council approves a Kennel License for 3910 Clover Avenue, with conditions."

Ayes – 5

Nays – 0

The resolution was adopted.

B. Bluebird Grove PUD

Planning/Community Development Director Wall reviewed the Bluebird Grove PUD process. The last public hearing was held in April and the Council tabled the action. Consequently, the developer developed and brought back an alternative plan for the property development. He noted that they have received the wetland approval from VLAWMO.

Wall noted that there are two separate actions before the Council following the public hearing and they include: adopting an ordinance approving the proposed Rezoning from Residence One (R-1) to Planned Unit Development (PUD); and adopting a resolution approving the proposed Final Planned Unit Development (PUD) Plan, Minor Subdivision, and Preliminary/Final Plat requests. Staff recommend approval with conditions.

Council Member Urban said that Wall mentioned that the density requirements for the zoning was 2.5 to 5 units an acre and asked if that requirement is from the Comp Plan. Wall responded yes and that it is a guide.

Council Member Rogers asked if Wall could go through the pond situation and the water drainage. Wall said he would defer that to the developer.

Marty Harstad, developer, reviewed the current water drainage issues in and surrounding the property and designated wetlands. He said that all of the water on the property runs down to the wetland at the back of the property. He said that as part of the new proposal, they are going to treat the stormwater that comes from their site and surrounding area by creating/cleaning out the two ponds on the property which will mean there will be room to store the stormwater which will ultimately go through pipes to a nearby ditch.

There were no more questions for staff or Mr. Harstad, so Mayor Gunderson opened the public hearing at 7:45 p.m.

Troy Kunzie, 500 Bear Avenue North, thanked everyone who has been involved in this process and also thanked the Council for hiring someone to do a community survey. He spoke about the history, PUD, trail, etc.

Sherry Meyer, 3834 Tessier Trail, spoke about the how the project requires variances/flexibilities in 17 of the 21 parcels including set back and lot size. She said there is no room for extra parking because of no on street parking in the cul-de-sac because it does not promote safety. She said this project will disrupt the eco system and substantially increase traffic. The project has a net density of 2.4 units per acre and our Comp Plan says 2.5 to 5 per acre. She also talked about the benefit of a trail connection and asked who would pay for it.

Abby Burdick, 491 Bear Ave North, said that she doesn't believe the safety road offers anything for the Bear Avenue North properties and she doesn't believe the new residents would want to use it. She said it doesn't seem very purposeful and she does not think it should be built.

Kelly Wolfe, 3890 Tessier Trail, noted her concern that construction could damage trees near her home and she is also concerned about the water drainage in the area. She asked that every attempt to mitigate damage to nearby trees be done.

Chris Billig, 467 Bear Ave North, said he would rather have no development and the property left as is. He asked that if the Council approves the PUD they do not allow the emergency access/trail.

Erinn Robovsky, 515 Bear Avenue North, spoke about the Comp Plan and future land use map and questioned the need for the trail.

Hans Henning, 486 Bear Ave North, thanked Council Members and Harstad for their support during this process. He said he would prefer a natural path rather than a bituminous trail.

Jim Coulton, 400 Colleen Drive, said since he moved to the City he has seen much development. Coulton asked Harstad to address the issue of water flowage in the new plan. He said he would like there to be signage at Tessier Trail and Colleen to keep traffic down.

Rob Davis, 3847 Tessier Trail, also echoed the others sentiment about traffic because he is concerned about speed on the road.

Ken Meyer, 3834 Tessier Trail, encouraged the Council to enforce their zoning requirements. He's also concerned about the debt of the holding pond.

Christine Carroll, 3835 Tessier Trail, thanked the neighbors for the work they have done and noted that she too is concerned about speed.

Diane Husak, 3859 Tessier Trail, said that she has witnessed traffic building each year and said she is concerned about kids with the increased traffic and also concerned about water flowage.

Gunderson closed the public hearing at 8:48 pm.

Harstad said with regards to the flooding on Colleen, that is a preexisting condition on an adjoining plat and he's not sure he can do anything about that but that will take a look at it. He talked about the trail but said that it's City staff who will decide on the trail. He thanked the Council for its time.

Council Member Youker asked Harstad about the flooding off of Colleen, and asked if there could be a culvert installed. Harstad said that the problem is that area is designed to drain from backyards to Colleen Drive. Farrell said they have taken a look at that, but it would be up to the neighbors to request that a storm sewer be hooked up.

Urban commented that the developer and the property owner have rights, the Comp Plan requires certain guidance for density and he said that he doesn't think the current plan is unreasonable as it concerns density. He said he will support this PUD and that he thinks the major issues have been worked out.

Mayor Gunderson said she agrees with most of Council Member Urban's points. She thanked Harstad for his flexibility on coming to a compromise. She said the degraded wetlands will be improved. She also stated that staff get paid the same to do their job whether or not a development goes through. Residents should be pleased and she will be supportive of this also. She thanked the neighbors, staff and Harstad for their work on this project.

Council Member Youker said there was a remark that the wetland study was done by Harstad's hired group. She noted the developer had the study done and that it was reviewed and approved by VLAWMO. She said that she thinks this PUD is a great compromise and that she too will support it.

Council Member Rogers thanked all parties at the meeting, and said it has been a challenging process. He said that he believes that this development will be successful.

Council Member Goebel echoed all the comments the others have said. He said that he thinks this is a much improved plan. He said that the developer has development rights and that he thinks adding the ponds is a good idea. He said that he will work with City staff to see what could be done to potentially reduce the speed limit on that road.

Upon motion by Urban, seconded by Youker, it was

#21-10-143 “RESOLVED, that the Council approves an Ordinance amending the official Zoning Map for 3904, 3910, 0 McMenemy Street and 0 Bear Avenue South, and for portions of 3920 and 3922 McMenemy Street, from Residence One (R-1) to Planned Unit Development District, as presented.”

Ayes – 5                      Nays – 0

The resolution was adopted.

Upon motion by Urban, seconded by Youker, it was

#21-10-144 “RESOLVED, that the Council approves a resolution approving a Final Planned Unit Development Plan, Minor Subdivision, and Preliminary/Final Plat for 3904, 3910, 0 McMenemy Street and 0 Bear Avenue South, and for portions of 3920 and 3922 McMenemy Street, as presented.”

Ayes – 5                      Nays – 0

The resolution was adopted.

**OLD BUSINESS: None.**

**NEW BUSINESS: None.**

### **COUNCIL AND STAFF REPORTS**

City Engineer/Public Works Director Farrell noted that the 2021 Improvements project is close to completion. He also noted that Tnemec Company, Inc. specializes in protecting surfaces and structures from corrosion with high-performance coatings and linings. Tnemec is hosting on-line voting for 2021 water tower designs. You can vote for our newly painted water tower for the 2021 People's Choice Tank of the Year! The top twelve winning tanks will be highlighted in their 2022 Calendar. Voting ends on Friday, October 15.

Planning/Community Development Director Wall thanked the Council for their comments on the Bluebird Project. He noted that there has been some activity on the Garceau parcel. He noted that the Planning Commission is meeting later this month. Two items of significance on their agenda will be: 1) expansion at Berkley Hyundai; and 2) multi-family project at the end of Talmage Circle that is currently in a PUD process. Wall said that the Council accepted the resignation of Evan Cordes and staff will go through the process of replacing him on the Commission and thanked Evan for his service.

Fire Chief Hearden thanked the Council for their support of the Fire Department Relief Association’s request for a pension increase and thanked the Council for the Proclamation for

National Fire Prevention Week. He said that the Fire Department staff will be out this week promoting the safety message. He noted that he and Tim Sandvik had just completed interviews with two interested parties to fill the Health and Public Safety Commission. He said that the new Fire Chief vehicle has arrived and that it will now be sent out for addition of the equipment.

Assistant City Administrator Sandvik noted that the City is bringing back the Scarecrow Trail for the Halloween event. He said that those interested in participating should reach out to Katie Everett at City Hall. He said that the City is currently in the hiring process for a public service worker. Sandvik thanked the Council for approving the letter of support for the potential grant funding for the Koehler Road trail. He noted that the Parks Commission is scheduled to meet on the 18<sup>th</sup> of October.

Council Member Goebel thanked staff for their hard work on the Bluebird project. He also thanked Evan Cordes for serving on the Planning Commission.

Council Member Youker noted that the VLAWMO Board has a meeting at the end of the month. She also thanked staff for the hard work on the Bluebird project.

Council Member Rogers said that as a new council member this was a very contentious project. He thanked staff for their work on putting together the Bluebird project and the draft budget.

Council Member Urban thanked staff for their hard work. He said that the City has a small team and they stay busy and do a good job.

Mayor Gunderson thanked staff and Council Members for their hard work. She noted that a local business, Innovize, has received an honor of Manufacturer of the year.

Motion to adjourn by Council Member Youker at 9:26 p.m. Meeting adjourned.

Respectfully submitted,

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Kevin Watson, City Administrator