

REGULAR MEETING COTTAGE GROVE CITY COUNCIL

March 16, 2005

OPEN FORUM – 7:15 p.m.

Open forum provides a person an opportunity to inform the Council of a problem or to request information related to City business not scheduled for Council action and on the Agenda. Mayor Shiely encouraged persons to limit their remarks to two (2) minutes per issue.

Present: Mayor Sandy Shiely
Council Member Myron Bailey
Council Member Karla Bigham
Council Member Mark Grossklaus
Council Member Pat Rice

Also Present: Ryan Schroeder, City Administrator
Ron Hedberg, Finance and Administrative Services Director
Howard Blin, Community Development Director
Jennifer Levitt, City Engineer
John Mickelson, Public Safety Director
Les Burshten, Public Works Director
Corrine Thomson, City Attorney

Major Joe Mariotti, Park High School ROTC Color Guard, stated that he hoped everyone had an opportunity to see the fine write up in the newspaper on the Park High ROTC and the Color Guard. He thanked Kimberly Anderson, Reporter for the South Washington County Bulletin, for such a well written article. He provided the Council with an update on their activities stating that the members have been very active attending events such as the Mall of America Walkathon and the March of Dimes Marathon in Stillwater. He stated that they are planning a trip to Cape Canaveral next week to visit the space center. He thanked the Council for having them this evening noting that they are proud to have the opportunity to present the colors as an opening to the City Council meeting.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota held a regular meeting on Wednesday, March 16, 2005, at the Cottage Grove City Hall, 7516 80th Street South. Mayor Sandy Shiely called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Mayor Sandy Shiely
Council Member Myron Bailey
Council Member Karla Bigham
Council Member Mark Grossklaus
Council Member Pat Rice

Also Present: Ryan Schroeder, City Administrator
Ron Hedberg, Finance and Administrative Services Director
Howard Blin, Community Development Director
Jennifer Levitt, City Engineer
John Mickelson, Public Safety Director
Les Burshten, Public Works Director
Corrine Thomson, City Attorney

ADOPTION OF AGENDA

MOTION BY RICE, SECONDED BY BIGHAM, TO APPROVE THE AGENDA AS PRESENTED.
MOTION CARRIED 5-0.

PRESENTATIONS

A. Park High ROTC Color Guard – Pledge of Allegiance

Mayor Shiely stated that the Park Senior High ROTC Color Guard is here to present the flag and lead the Pledge of Allegiance.

B. Certificates of Appreciation – Departing Commission Members

Mayor Shiely stated that she and the City Council Members would like to present Certificates of Appreciation to Tim Booth, who is present this evening, and also to Ken Boyden and Steve Morse. She thanked each of them for their years of service to the community as members of a City Advisory Committee or Commission.

APPROVAL OF MINUTES

A. February 16, 2005 Regular Meeting

Mayor Shiely stated that the minutes stand approved as presented.

B. March 2, 2005 Regular Meeting

Mayor Shiely stated that she has one correction. She referenced page ten, first paragraph, first two sentences:

Reads: 'Mayor Shiely agreed noting that one thing that does bother her is the dividing line between Cottage Grove and Woodbury. She noted that the new homes in the Orrin Thompson development would be three to five acre lots adding that this is not good planning to have such differences between developments that are so close.'

Should read: 'Mayor Shiely agreed noting that one thing that does bother her is the dividing line between Cottage Grove and Woodbury. She noted that the development across the border, in Woodbury, are 3.5 acre lots, adding that this is not good planning to have such differences between developments that are so close.'

Mayor Shiely stated that the minutes stand approved as amended.

CONSENT CALENDAR

Council Member Bigham asked to pull Item 4C. She explained that Item 4C involves accepting the Professional Services Agreement between the Washington County Housing and Redevelopment Authority and the City of Cottage Grove. She stated that on behalf of the City Council, she would like to thank the Recreation Department and Police Department personnel for their time and effort and commend the HRA, Kingwood Management and City Staff for all of their hard work and commitment to improving the community at Parkside. She thanked them for a job well done.

Council Member Bailey asked to pull Item 4N. He explained that Item 4N recognizes Commission Members who have perfect attendance records for meetings held during the March 2004 through February 2005 period. He stated that he would like to take a moment to recognize each member individually. He reviewed each name with the Council. He expressed appreciation on behalf of the City Council for all of their hard work and dedication and thanked everyone for a job well done.

MOTION BY RICE, SECONDED BY BIGHAM, TO:

- A. ACCEPT AND PLACE ON FILE THE FOLLOWING MINUTES:
 - i. PUBLIC SAFETY, HEALTH AND WELFARE COMMISSION OF NOVEMBER 16, 2004; DECEMBER 21, 2004 AND JANUARY 18, 2005.
 - ii. ECONOMIC DEVELOPMENT AUTHORITY OF NOVEMBER 2, 2004 SPECIAL MEETING; NOVEMBER 22, 2004 SPECIAL MEETING AND FEBRUARY 8, 2005 REGULAR MEETING.
 - iii. PLANNING COMMISSION MEETING OF JANUARY 24, 2005.
- B. AUTHORIZE THE PURCHASE OF ENCASE SOFTWARE BY USING FORFEITURE FUNDS IN THE AMOUNT OF \$3,500.00.
- C. ACCEPT THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE WASHINGTON COUNTY HOUSING AND REDEVELOPMENT AUTHORITY AND THE CITY OF COTTAGE GROVE.
- D. APPROVE THE AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP) ALLOWING THE CITY OF COTTAGE GROVE TO PLAY COPYRIGHTED MUSIC AT CITY FACILITIES FOR AN ANNUAL FEE OF \$260.00 EFFECTIVE APRIL 1, 2005.
- E. ADOPT **RESOLUTION NO. 05-030** DNR ENVIRONMENTAL AND CONSERVATION PARTNERS GRANT PROGRAM.
- F. ADOPT **RESOLUTION NO. 05-031** ADOPTING CITY POLICY FOR RAIN SENSOR USE ON LANDSCAPE IRRIGATION SYSTEMS.
- G. APPROVE THE INSTALLATION OF 40,000 POUNDS OF CRAFCO 221 JOINT SELANT FROM NORTHWEST ASPHALT MAINTENANCE.
- H. APPROVE THE PURCHASE OF ONE KAWASAKI 3000 UTILITY VEHICLE IN THE AMOUNT OF \$7,940.93 FROM GERLACH SERVICE.
- I. APPROVE THE PURCHASE OF TWO NEW HENDERSON BRAND COMPLETE DUMP BODIES, HYDRAULICS, LIGHTING, SANDERS, FRONT AND SIDE SNOWPLOWS FROM ASPEN EQUIPMENT IN THE AMOUNT OF \$129,145.22.

- J. ADOPT **RESOLUTION NO. 05-032** APPROVING THE “LAND SURVEYOR’S CERTIFICATE OF CORRECTION TO PLAT” FOR ACORN RIDGE ADDITION, AS APPROVED BY CITY RESOLUTION NO. 02-039.
- K. AUTHORIZE STAFF TO FINALIZE A COST-SHARING MEMORANDUM OF UNDERSTANDING WITH MNDOT FOR THE HAMLET PARK POND DRAINAGE ISSUES.
- L. ADOPT **RESOLUTION NO. 05-033** AUTHORIZING WRITE-OFFS OF THE COTTAGE GROVE EMS ACCOUNTS RECIEVABLE IN THE AMOUNT OF \$455,463.55.
- M. APPROVE THE WRITE-OFF OF \$1,809.00 IN UNPAID ACCOUNTS RECIEVABLE INVOICES BILLED OUT FOR POLICE DEPARTMENT LOCKOUT SERVICES.
- N. 1. RECEIVE COMMISSION ATTENDANCE RECORDS FOR THE MARCH 2004 THROUGH FEBRUARY 2005 PERIOD. 2. RECOGNIZE COMMISSION MEMBERS WITH PERFECT ATTENDANCE RECORDS FOR THE SAME PERIOD. 3. RECOGNIZE COMMISSION MEMBERS WITH PERFECT ATTENDANCE RECORDS IN EXCESS OF 12 MONTHS.
- O. RECEIVE UPDATE ON COTTAGE SQUARE REDEVELOPMENT PROJECT.
- P. ADOPT **RESOLUTION NO. 05-034** RESOLUTION AMENDING CITY FEE TABLE.

MOTION CARRIED 5-0.

Mayor Shiely noted that all items on the Consent Agenda have been approved as presented.

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

NONE

PUBLIC HEARINGS

- A. Conduct a Public Hearing on Increases to Utility Area Charges.

Finance and Administrative Services Director Hedberg stated that at the February 16, 2005 City Council meeting the City Council called for a public hearing on adopting increases in the utility area charges for providing the utility system to developed properties. He clarified that this does not involve utility rates only development charges for bringing the utility system to the properties. He stated that the changes to development charges should be updated by ordinance rather than by resolution, which would also require a change in the language found in the City Code section 8-1-2c. He provided the Council with an overview of the recommended changes and proposed fee increases. He indicated that the City might have to revisit the fee schedules noting that it would depend on the findings as the City progresses through the East Ravine Study.

Mayor Shiely asked if the State required the need to adopt this proposal by ordinance versus a resolution. Finance and Administrative Services Director Hedberg explained that in light of some of the lawsuits that have occurred in other communities it was recommended that the fee changes be adopted by ordinance.

City Attorney Thomson further clarified the ordinance process. She noted that there is a mix up with the recommended language changes. She referenced the first proposed ordinance amending Title 8 as it relates to the connection permits and fees, stating that the underscored statement in Section 1. Amendment, ‘This ordinance will not be codified in the City Code but will

be maintained in the office of the City Clerk' is language that belongs at the end of the second ordinance addressing the Utility Fees.

Mayor Shiely opened the Public Hearing at 7:46 p.m.

Mayor Shiely closed the Public Hearing at 7:47 p.m.

1. Consider Passing an Ordinance Amending City Code Title 8, Chapter 1, Section 2, Subsection C.2 regarding Area and Connection Charges.

Mayor Shiely noted the corrections from City Attorney Thomson stating that the proposed ordinances would be updated to reflect the changes. She clarified that the sentence 'This ordinance will not be codified in the City Code but will be maintained in the office of the City Clerk' will be removed from the first ordinance amending City Code in Title 8, Chapter 1, Section 2, Subsection C.2 regarding Area Connection charges.

MOTION BY BAILEY, SECOND BY GROSSKLAUS, TO ADOPT **ORDINANCE NO. 768** AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA, AMENDING TITLE 8, CHAPTER 1, SECTION 2, SUBSECTION C.2 OF THE COTTAGE GROVE CITY CODE, RELATING TO CONNECTION PERMITS AND FEES AS AMENDED. MOTION CARRIED 5-0.

2. Consider Passing an Ordinance Setting Fees for Utility Area Charges.

Mayor Shiely noted the corrections from City Attorney Thomson stating that the proposed ordinances would be updated to reflect the changes. She clarified that the sentence 'This ordinance will not be codified in the City Code but will be maintained in the office of the City Clerk.' will be added to the second Ordinance setting the Fees for Utility Area Charges.

MOTION BY RICE, SECOND BY BAILEY, TO ADOPT **ORDINANCE NO. 769** AN ORDINANCE SETTING FEES FOR THE UTILITY AREA CHARGES FOR THE CITY OF COTTAGE GROVE, WASHINGTON COUNTY, MINNESOTA AS AMENDED. MOTION CARRIED 5-0.

BID AWARDS

NONE

UNFINISHED AND NEW BUSINESS

- A. Consider Adopting a Resolution Approving Business Subsidies to a Project represented by PHM/Cottage Grove, Inc.

City Administrator Schroeder stated that the development agreement for Presbyterian Homes was considered at the November 18, 2004 Economic Development Authority meeting. He reviewed the project with the Council stating that the project would include senior housing, retail space, and a restaurant and office space on the Cottage Square Mall site with a minimum market value of \$22,625,000.00. He stated that the City would provide the project with approximately \$430,000 in CDBG money toward the senior housing portion of the project. He reviewed the current process with Council stating that to continue working towards the redevelopment this would be the appropriate time to adopt this action, as required by State law. He explained that

this would provide the necessary mechanisms for the City's investment. He further explained that this project is in the redevelopment district and the tax increments created would flow through to the developer to underwrite the costs, which means that the developer takes on the risk of creating the budgeted levels of increment.

City Administrator Schroeder explained that the reimbursement back to the developer, created by this project, is expected to reduce the land costs to make the parcel value comparable to the market value of the current land and structures. He reviewed the primary goals for the project with Council. He stated that the project is located in an existing development and tax increment district adding that the Presbyterian Homes project exceeds EDA minimum wage goals for employment brought to the community. He stated that in December 1999 the City Council adopted a resolution establishing criteria for granting business subsidies, which was revised by the Economic Development Authority on July 8, 2003 and again by City Council on July 16, 2003. He reviewed the resolutions with Council stating that a notice as required by statute appeared in the February 23, 2005 edition of the South Washington County Bulletin and a public hearing was held at the March 8, 2005 Economic Development Authority meeting. He stated that the Business Subsidies for the project was approved under EDA Resolution No. 05-001 and Staff is recommending adoption of the resolution ratifying business subsidies for the project.

Council Member Biggam referenced an article in the Bulletin shows that the City EMS is busy but keeping up with the level of calls. She expressed concerns that adding 150 units for senior housing could be a high maintenance issue and urged them to keep this in mind as they move forward in the project and as they review future budgets.

MOTION BY SHIELY, SECOND BY BAILEY, TO ADOPT **RESOLUTION NO. 05-035** RESOLUTION CALLING FOR APPROVING BUSINESS SUBSIDIES TO A PROJECT REPRESENTED BY PHM/COTTAGE GROVE, INC. MOTION CARRIED 5-0.

B. Consider Authorizing the Mayor and City Administrator to enter into a Purchase Agreement with WAG Farms for approximately 18.44 Acres South of Hamlet Park.

City Administrator Schroeder stated that at the regular City Council meeting of October 6, 2004 Staff was authorized to pursue a purchase of approximately 18.44 acres south of existing Hamlet Park. He explained that a portion of the land would be allocated towards drainage with the balance being designated for a future ball field expansion. He stated that they are nearing the initiation of the project adding that under a separate agenda item Council would be asked to approve a letter of understanding with the Minnesota Department of Transportation, which would result in MnDOT contributing 17% of the cost for certain elements of the construction. He stated that Staff is also notifying Council of the neighborhood meeting scheduled for April 12, 2005 at which time Staff will update the surrounding property owners on the schedules and the scope of work to be completed. He stated that three maps have been included in the Council packet as reminders of the short and long term project scope and reviewed with Council.

Council Member Biggam asked if the funding would come from the Park Trust Fund. City Administrator Schroeder stated that the portion to be allocated from the Park Trust Fund would be funds resulting from the sale of 2.2 acres from Ruby Tuesday and the remainder of the funds would come from the Stormwater Fund.

Mayor Shiely urged the residents to attend the neighborhood meeting scheduled on April 12, 2005, stating that it is very important for the residents to attend, as the scope of the project has been cut considerably and this would provide them with an overview of what would be done. She assured the residents that everything originally discussed would eventually be done but it will take a bit longer than planned to complete.

City Administrator Schroeder clarified that the balls fields would not be constructed, under Council directive, until the roadway is constructed from 95th north to the ballpark. He stated that completion is dependent on the development in the area.

MOTION BY RICE, SECOND BY GROSSKLAUS, TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO A PURCHASE AGREEMENT WITH WAG FARMS FOR APPROXIMATELY 18.44 ACRES SOUTH OF HAMLET PARK. MOTION CARRIED 5-0.

C. Consider Approving the Feasibility Report, Ordering the Project and Authorizing the Preparation of Plans and Specifications as a Change Order for the 65th Street Sanitary Sewer Extension.

City Engineer Levitt provided the Council with an overview of the Feasibility Report from BRAA. She stated that based on the report findings Staff is recommending approval of the proposed sewer extension project.

City Engineer Levitt stated that Staff has discussed the potential assessment costs with the residents noting that potentially a portion of the project cost and/or area charges would be due and payable now as opposed to at the time of connection. She provided Council with a brief overview of the original proposal stating that they are now proposing to extend the sanitary sewer further to east. She reviewed the three areas identified and the resident notification process with Council.

City Engineer Levitt stated that the total charges for construction and sanitary sewer would be approximately \$191,000. She provided the Council with a breakdown of the charges per acre and clarified that because this is a utility project, not a street reconstruction project, that there would not be any assessments for the reconstruction of 65th Street.

City Engineer Levitt provided Council with an overview of the project and Staff's recommended proposal that the benefiting properties pay their portion of the project costs and area charges at the time of connection to the system. She explained that this would follow the pattern that has occurred in other areas of the West Draw. She stated that project financing would be revisited for the East Ravine Neighborhood.

Craig Carmean, 7387 65th Street, stated that he lives next to the elementary school adding that he has been pushing for this as it makes sense to place both utilities at the same time. He indicated that he has discussed this with several of the residents and everyone he has talked with has provided very positive feedback. He stated that the residents he has discussed this issue with have stated that they too would like to see placement of sewer added to this part of the project. He stated that all of the residents are concerned about the costs for this project adding that he has not had the opportunity to review the current numbers. He stated that many of the residents in support of this project reside on the 65th Street side. He stated that he did not discuss this project with any residents along Hadley.

Council Member Grossklaus clarified that the only costs to the residents would be when they actually hook up to the utility system. City Engineer Levitt confirmed.

MOTION BY GROSSKLAUS, SECOND BY BIGHAM, TO ADOPT **RESOLUTION NO. 05-036** APPROVING THE FEASIBILITY REPORT, ORDERING THE PROJECT AND AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS AS A CHANGE ORDER FOR THE 65TH STREET SANITARY SEWER EXTENSION PROJECT. MOTION CARRIED 5-0.

- D. Consider Approving a Preliminary Plat for Prairie Oaks to Create Three Buildable Parcels from two existing Developed Lots of Record with a Variance to Roadway Requirements and a Zoning Amendment to Rezone the Property, located at 6100 and 6120 Hadley Avenue, from AG-2, Agriculture, to R-1, Rural Residential.

Community Development Director Blin stated that Ronald Reimann has applied for a preliminary plat with a variance for Prairie Oaks to create three buildable parcels from two existing developed lots located at 6100 and 6120 Hadley Avenue South and a zoning amendment to rezone the property from AG-2, Agriculture to R-1, Rural Residential. He stated that the existing property was initially subdivided in 1999 into two parcels, 10-acres and 16-acres, each of which have a home on them. He explained that the proposal under consideration would go from two to three parcels and reviewed with Council. He stated that a cul-de-sac is being platted as a part of the proposal noting that the variance requests that it not be improved at this time. He reviewed the driveway access points for each parcel with the Council noting that the current driveway does not meet existing standards. He stated that the Planning Commission reviewed this request at their February 28, 2005 meeting and unanimously voted to recommend approval of the request and variance. He stated that recommendations have been made that would resolve the driveway issues and reviewed with Council. He provided the Council with a brief overview of the property and the ordinance criteria stating that if the applicant attempts another subdivision of the property in the future the request would trigger the requirement to improve the driveway access points. He noted that the driveway is paved and is also a shared access.

Council Member Bigham asked if the current driveway would be sufficient for emergency vehicle access. Public Safety Director Mickelson stated that currently the area is not serviced by fire hydrants, which means that they would have to bring in a tanker truck. He expressed concerns adding that they are always concerned when a proposal deviates from the standards set for roadways.

Mayor Shiely referenced the turning area and asked if has been any discussion with the applicant with respect to increasing the turnaround area in order to accommodate emergency vehicles. Community Development Director Blin confirmed that this has been discussed with the applicant and the applicant is willing to increase the size to accommodate the emergency vehicles.

Tim Reimann stated that he and his father, Ron Reimann, along with their families, are the owners of the properties in question. He referenced Council's concerns regarding emergency vehicle access stating that on several occasions they have had an 18-wheel van in the area and at least four fire trucks come down the road with no issues reported.

Mayor Shiely asked Mr. Reimann if they understand the need to increase the turnaround. Mr. Reimann assured the Council that they understand the need for the increase and believe it is acceptable based on the template.

Council Member Rice asked Mr. Reimann if they plan any more subdivisions with the property. Mr. Reimann stated that this proposal is their current plan. He explained that their family's main interest is to keep the natural condition of the land as a savannah and prairie. He stated that it is their hope to be able to allow family members to continue to have the ability to purchase the property with the intent to maintain the natural conditions of the land. He noted that buckthorn exists on the property and that he has received a grant to help with the removal costs and to restore the area.

Mayor Shiely confirmed that Mr. Reimann understands that if they decide to subdivide the property again that they would be required to add an additional road to provide appropriate access to the property. Mr. Reimann confirmed that he understood the requirements.

Dave Anderson, Chairperson for the Public Works Commission, stated that the Public Works Commission and the Public Safety Commission both passed unanimous votes in support of this proposal. He explained that at the time the motions were passed both Commissions were unaware of the close turnaround issues. He further explained that upon learning of these concerns earlier today, they reviewed and are satisfied with the turnaround. He stated that the Public Works Commission stands by the original motion to approve the upgrade for access points. He explained that the Commission's primary concern was with public safety. He stated that the Commission felt that the neighborhood would eventually be developed and would address the issues concerning multiple use of one access point and agreed that the road should be standardized for variety of reasons, with public safety being the primary concern.

MOTION BY RICE, SECOND BY GROSSKLAUS, TO ADOPT **RESOLUTION NO. 05-037** RESOLUTION APPROVING THE PRELIMINARY PLAT FOR PRAIRIE OAKS AND A VARIANCE TO DEVIATE FROM MINIMUM DESIGN STANDARDS FOR A PUBLIC ROADWAY. MOTION CARRIED 5-0.

MOTION BY RICE, SECOND BY GROSSKLAUS, TO ADOPT **ORDINANCE NO. 770** AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA AMENDING CITY CODE SECTION 11-1-6, ZONING MAP, VIA REZONING CERTAIN PROPERTY FROM AG-2, AGRICULTURE, TO R-1, RURAL RESIDENTIAL, FOR PROPERTY LOCATED AT 6100 AND 6120 HADLEY AVENUE SOUTH. MOTION CARRIED 5-0.

E. Consider Calling a Public Hearing on the establishment of Tax Increment District No. 1-13 and removing Parcels from Tax Increment District No. 1-10.

Mayor Shiely clarified that the Council is not holding a public hearing but simply calling for a public hearing to be scheduled on April 20, 2005.

Finance and Administrative Services Director Hedberg stated that the action tonight is a call, as requested by the EDA, for Council to consider approval of a public hearing on the establishment of Tax Increment District locations, removal of parcels from Tax Increment Districts 1 through 10 and recommended utility improvements and storm ponding needs. He provided Council with a brief overview of the TIF use in the County stating that Staff would be working with Ehlers and

Associates to create the updated TIF plan for Districts 1 through 13, which would include a schedule of Sources and Uses. He reviewed the schedule of actions with Council stating that Staff would work to complete the required steps as outlined.

Council Member Rice referenced the land located east of Jamaica and asked why it was included. Finance and Administrative Services Director Hedberg explained that the land is currently part of District 10. He stated that eventually there would be some development and stormwater improvements in the area, but at a later date. He stated that they would have to review any future development in the area and reviewed the process with Council.

City Administrator Schroeder referenced the area east of Jamaica stating that this area is a much more involved piece of property. He explained that there are substantial pending needs in this area that would be expanded, in the future, onto 3M properties and reviewed with Council.

MOTION BY BIGHAM, SECOND BY RICE, TO ADOPT **RESOLUTION NO. 05-038** CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 1 AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 1-13 THEREIN AND THE ADOPTION OF A TAX INCREMENT FINANCING PLAN THEREFOR. MOTION CARRIED 5-0.

F. Continue Consideration of a Site Plan Review of Two Commercial Structures to be located in the 8600 Block of West Point Douglas Road, Northwest of Jamaica Avenue.

Community Development Director Blin stated that the Council decided at the March 2, 2005 meeting to continue the review of Kelco Real Estate Development's site plan application in order to allow the applicant to provide Council with more information on the proposed project. He stated that the development team has revised their development plans in response to questions asked by Council and provided Council with an overview of the proposed structural designs. He stated that Staff also held a meeting with MnDOT to discuss several of the questions, raised by MnDOT, with regard to how possible future realignment of Highway 61, Jamaica and West Point Douglas intersection could affect this site. He stated that Staff has worked closely with MnDOT and the developer and do not foresee the project impacting Jamaica. He assured the Council that Staff wanted to be sure that nothing proposed for this site would be compromised by traffic flow or future intersections.

Community Development Director Blin reviewed the proposed utility plan with Council noting that the lighting plan does meet City standards. He stated that the applicant has also provided the proposed plan for sign locations and dimensions adding that the proposed plan conforms to City standards. He referenced the proposed landscaping stating that the plan does have some challenges. He indicated that the main challenge would be the water main and easement, which prevents the developer from planting trees along the easement. He explained that it would not be possible to get all of the required trees on the property and as a result, and the developer is proposing to plant a significant amount of shrubs. He stated that they determined that they would be approximately 10 trees short and the developer has proposed to make a cash payment to the tree mitigation fund.

Mayor Shiely asked if the revised plan includes sidewalks. Community Development Director Blin confirmed that sidewalks are included as part of the requirements.

Jim Kellison, President, Kelco Real Estate Development, 7300 Hudson Road, stated that Community Development Director Blin has provided the Council with a very complete overview of the proposed changes adding that he is available to answer any questions the Council might have.

Council Member Bigham referenced the parking spots noting that the site plan information sheet shows 164 parking spots and the actual site plan indicates 162 parking spots. Mr. Kellison clarified that the 162 parking spots shown on the site plan is the correct number. He explained that in order to meet the handicap requirements they had to downsize by two parking stalls. He stated that the parking still meets with the City standards.

Council Member Bailey thanked the developer for coming back to Council with an improved site plan proposal. She stated that the Council appreciates the efforts. She referenced the tree mitigation report and asked for clarification on the calculation process for tree replacement. Community Development Director Blin explained that they take the amount typically paid for tree replacement and multiply it by the number of trees mitigated.

MOTION BY RICE, SECOND BY BAILEY, TO ADOPT **RESOLUTION NO. 05-039** A RESOLUTION APPROVING A SITE PLAN REVIEW OF TWO COMMERCIAL STRUCTURES TO BE LOCATED IN THE 8600 BLOCK OF WEST POINT DOUGLAS ROAD SOUTH. MOTION CARRIED 5-0.

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

NONE

COUNCIL COMMENTS AND REQUESTS

Council Member Bigham referenced the Jamaica Ave/West Point Douglas intersection stating that she is very happy to hear that Staff is discussing the potential impacts and possible improvements for this area of Highway 61. She stated that it is her hope that Council, in the near future, will receive an update from Staff in regard to future plans for improvement in this area.

City Engineer Levitt stated that Staff is currently meeting with the DOT to discuss a temporary fix for the access ramp off Highway 61. She stated that the temporary fix is only until they can arrive at a solution to resolve the problem permanently. She stated that she would keep the Council informed of their progress and decision.

Council Member Bigham referenced the Metropolitan Transit Express Bus routes that travel along the Highway 61 corridor stating that, in light of the construction on Highway 61, it is her hope that Staff, with Council's permission, would send a letter to the Metropolitan Transit Commission, the Governor, the Lieutenant Governor and the Metropolitan Council to request their support for continuing the express bus routes along Highway 61. She stated that the express routes are an economic benefit to their community and discontinuing the express routes is a serious topic that should be addressed. She stated that it is very unfortunate that they took away the budgets that fund these routes, as it will have a huge impact on the community and the freeway traffic load.

Mayor Shiely agreed with Council Member Bigham and expressed concerns regarding the bus service. She stated that to eliminate the express bus service to downtown St. Paul would create a severe problem for residents in this area. She stated that she is amazed at the amount of money agencies have invested to create park and ride locations only to have the routes servicing these locations eliminated.

Council Member Grossklaus stated that he would like a discussion on what the standards are for rural residential zoning. He stated that in the future the City will have more residents coming forward with rural residential projects and he would like a better understanding of the standards. City Engineer Levitt stated that they have an existing document that details the standards and process used to address the rural residential areas and stated that she would provide Council with copies of the document for their review.

City Administrator Schroeder stated that the Infrastructure Maintenance Task Force is scheduled to meet next week. He stated that the team would begin to address this issue and identify the base level of service citizens can expect.

PAY BILLS

MOTION BY RICE, SECONDED BY BIGHAM, TO APPROVE PAYMENT OF CHECK NUMBERS 138960 THROUGH 139162 TOTALING \$576,751.12. (CHECKS 138960 – 138988 IN THE AMOUNT OF \$223,638.54 ISSUED PRIOR TO COUNCIL APPROVAL.) MOTION CARRIED 5-0.

WORKSHOP SESSION – OPEN

NONE

WORKSHOP SESSION – CLOSED

NONE

ADJOURNMENT

MOTION BY BIGHAM, SECONDED BY SHIELY, TO ADJOURN THE MEETING AT 8:55 P.M. MOTION CARRIED 5-0.

Respectfully submitted,

Bonita Sullivan
TimeSaver Off Site Secretarial, Inc.