



DRAFT

Approved: June 10, 2019

**CITY OF ARDEN HILLS, MINNESOTA
CONTINUATION OF RECESSED MAY 13, 2019 CITY COUNCIL MEETING
MAY 22, 2019
7:00 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL

Pursuant to due call and notice thereof, Mayor David Grant called to order the City Council meeting at 7:00 p.m.

Present: Mayor David Grant, Councilmembers Brenda Holden, Fran Holmes, Dave McClung and Steve Scott

Absent: None

Also present: City Administrator Dave Perrault; Interim Public Works Director/City Engineer Sue Polka; City Planner Mike Mroska; Planning Consultant Jane Kansier; City Attorney Joel Jamnik; and City Clerk Julie Hanson

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

Councilmember Holmes requested items 3B and 3F be pulled from the Consent Agenda for further discussion under Unfinished Business.

MOTION: **Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the meeting agenda as amended. The motion carried unanimously (5-0).**

2. APPROVAL OF MINUTES

A. April 15, 2019 City Council Work Session (Amended)

MOTION: **Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the April 15, 2019, City Council Work Session meeting minutes as amended. The motion carried unanimously (5-0).**

3. CONSENT CALENDAR

- A. Motion to Approve Consent Agenda Item - Claims and Payroll
- ~~B. Motion to Cancel May 28, 2019 Regular City Council Meeting~~
- C. Motion to Authorize Professional Services Agreement for Geotechnical Services – 2020 PMP Area; Arden Oaks Street and Utility Improvements; and Parking Lot Reconstruction at City Hall, Hazelnut Park and Perry Park
- D. Motion to Appoint Community Development Manager/City Planner
- E. Motion to Authorize to Post for an Associate Planner Position
- ~~F. Motion to Approve Payment No. 8 and Changer Order No. 5 Sunram Construction Old Snelling Trail and watermain Improvements Project~~
- G. Motion to Approve Payment No. 8 – Osseo Construction Co., LLC – 0.5 MG Water Tower Rehabilitation Project

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the Consent Calendar as amended removing Items 3B and 3F and to authorize execution of all necessary documents contained therein. The motion carried unanimously (5-0).

5. NEW BUSINESS

- A. **PC 18-014 Mounds View High School Addition – Comp Plan Amendment and Master and Final Planned Unit Development**

Planning Consultant Kansier stated the City Council previously discussed Planning Case 18-014 at their meeting on May 13, 2019. This application was tabled to allow staff time to work with the Applicant on relocation of athletic fields, tree impact, landscaping plan, and pedestrian crossing improvements. Staff has worked with the Applicant on these items and is bringing this planning case back for further review by the City Council.

Planning Consultant Kansier reported the Applicant is proposing an addition totaling 76,300 square feet, including 49,000 square feet for gymnasiums and 27,300 square feet for a total of seven classrooms. Interior remodels of the existing building include 65,000 square feet. The subject property is located at 1900 Lake Valentine Road. In addition, the Applicant is proposing to reconfigure the athletic fields located south of the principal structure. The intent of the reconfiguration is to add an additional football/lacrosse practice field.

Planning Consultant Kansier explained the Applicant recently acquired the former First Student school bus garage located directly north of the high school at 1901 Lake Valentine Road. The previous use of the 1901 Lake Valentine Road as a bus storage facility began in the 1950's and the current building onsite was also constructed at that time. The subject property was then annexed to the City of Arden Hills from the City of New Brighton in the 1960's. The use has operated under a Special/Conditional Use Permit. At their October 26, 2009 meeting the City Council approved a Conditional Use Permit Amendment to state that the number of buses allowed to operate and park at this subject property is limited to 150 large buses and a maximum of 175 buses from September 1 through June 15 and a maximum of 150 buses during the remainder of the year. In addition to bus parking, the previous property owner was selling parking permits to an

unknown number of students for at least the last five (5) years. The existing parking lot has nine (9) lighting fixtures and the existing building has three (3) security lights.

Planning Consultant Kansier stated the Applicant is proposing to utilize the existing parking lot for visitor, staff and student parking. However, due to funding restraints, the applicant is proposing to make temporary improvements to the parking lot surface, including but not limited to filling potholes, sealcoating, and restriping the parking lot for more efficient car parking. In addition, the Applicant will be installing fencing around the existing motor fuel island to restrict parking and loitering under the canopy. The Applicant recognizes that ongoing maintenance to the parking lot will be required until funding is available to reconstruct the parking lot. As a condition of approval, Site Plan Review is required for the reconstruction of the parking lot. The intent of requiring Site Plan Review is to ensure the parking lot is reconstructed in conformance with City Code and Rice Creek Watershed standards.

Planning Consultant Kansier indicated the existing building on the site will be used for cold storage. As a condition of approval, any change in use will require a PUD amendment. The Applicant is currently assessing the condition of the existing structure onsite and is in the process of getting bids to replace the roof, siding, and garage doors. In addition, the Applicant is getting quotes to paint the structure to complement the existing high school.

Planning Consultant Kansier further reviewed the Plan Evaluation and offered the following findings of fact:

1. The property located at 1900 Lake Valentine Road is designed for Public and Institutional uses on the 2040 Land Use Plan map.
2. The property located at 1901 Lake Valentine Road is designated for Low Density Residential uses on the 2040 Land Use Plan map.
3. The properties located at 1900 and 1901 Lake Valentine Road are located in the R-1 Single Family Residential District.
4. The R-1 district is consistent with the existing and proposed Public and Institutional designation.
5. The Applicant has proposed a Master Planned Unit Development in order to include noncontiguous parcels as a single use. Other components of the proposal are classroom and gymnasium additions, reconfiguration of the bus parking lot and the staff and student parking lots, and reconfiguration of athletic fields.
6. The Applicant has submitted a Master and Final Planned Unit Development.
7. The Master PUD is generally consistent with the requirements of the City Code.
8. Where the plan is not in conformance with the City Code, flexibility has been requested by the Applicant and/or conditions have been placed on an approval that would mitigate the nonconformity.
9. Flexibility through the PUD process has been requested in the following areas: planting island coverage, tree replacement, building height, and wall signage.
10. The proposed development plan exceeds the minimum requirements of the City Code in the following areas: lot size, building coverage, landscape coverage, setbacks, street trees, perennials and shrubs, tree selection, lighting, screening, location and number of parking stalls, aesthetics and freestanding signs.

11. The Master PUD is in conformance with the draft Arden Hills 2040 Comprehensive Plan, as proposed to be amended. The properties at 1900 and 1901 Lake Valentine Road are zoned R-1, Single Family Residential. Compatible uses such as educational campuses are also intended for this zoning district.
12. With the applied conditions, the application is not anticipated to create a negative impact on the immediate area or the community as a whole.

Planning Consultant Kansier stated at their May 13, 2019 meeting the City Council directed staff to review and revise the conditions of approval. Below are the amended conditions for approval.

1. The project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to the plans, as determined by the City Planner, shall require review and approval by the Planning Commission and City Council.
2. Prior to the issuance of a Grading and Erosion Control permit, the Applicant shall enter into a PUD Development Agreement with the City. The Development Agreement shall outline conditions of approval, required securities and fees, and sequence of events.
3. A letter of credit equal to or 125% of the cost of the required landscaping must be submitted to the City prior to issuance of a Grading and Erosion Control permit.
4. A Site Plan Review application shall be required for the reconstruction of the parking lot on PID 21302334005.
5. Any use of the existing building on the on PID 21302334005 other than cold storage will require an amendment to the approved PUD. The existing structure shall comply with City Codes and any other use of the building shall meet all applicable codes.
6. Overnight vehicle storage is prohibited. All overnight vehicle storage shall be stored in indoors.
7. No exterior storage shall be permitted onsite.
8. All light poles shall be a maximum of 25 feet in height, including base, and shall be shoebox style, downward directed, with high-pressure sodium or LED lamps and flush lens. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lens. In addition, any entry lighting under canopies shall be recessed and use a flush lens. Shields shall also be added as directed by the City.
9. All rooftop or ground mounted mechanical equipment shall be hidden from view with the same materials used on the building in accordance with City Code requirements.
10. Prior to the issuance of a Grading and Erosion Control permit, trees or tree areas that are to be preserved shall be visibly marked and City-approved tree protection fencing or other methods shall be installed and maintained at the critical root zones of the trees to be protected. The location of the fencing shall be in conformance with the approved tree preservation plan and approved by staff in writing.
11. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, Rice Creek Watershed District, etc. prior to the start of any site activities.
12. All disturbed boulevards shall be restored with sod.
13. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and

- existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.
14. The Applicant shall be responsible for obtaining a land disturbance Grading and Erosion Control permit from the City's Engineering Division prior to the commencement of any land disturbance activities.
 15. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and storm water does not leave the project site.
 16. Prior to the beginning of the 2019-2020 school year, the Applicant shall stripe a minimum of 334 parking stalls in parking lot located on PID 213023340005. Parking stalls dimensions shall be 9 feet by 18 feet.
 17. Prior to the issuance of a Grading and Erosion Control permit, the School District shall provide the City in writing how they will staff the pedestrian crossing during student arrival and release for City staff and the Ramsey County Sheriff review and approval. The School District shall implement any and all recommendations made by the City and/or the Sheriff prior to the start of the 2019-2020 school year.
 18. Prior to the issuance of a Grading and Erosion Control permit the Engineering Department shall approve the Final grading, utility, stormwater and right of way improvement plans.
 19. The Applicant, Ramsey County Sheriff and City staff shall review traffic and pedestrian operations annually. The Applicant shall implement improvements recommended by the City Engineer.
 20. Prior to the issuance of a Grading and Erosion Control Permit, all items identified in the March 5, 2019 Engineering Review Comments memo shall be addressed. All comments shall be adopted herein by reference.
 21. The proposed mascot wall sign may be externally illumined and shall be approved by Planning staff in writing. Internal illumination is prohibited. The proposed mascot sign shall not exceed 53 square feet. Final location of the proposed mascot wall sign shall be approved in writing by Planning staff.
 22. A Planned Unit Development Agreement shall be fully executed prior to July 31, 2019.
 23. The Applicant shall be financially responsible for 100 percent of all Lake Valentine Road street improvements. These improvements include but shall not be limited to: turn lanes and other access improvements, trail and sidewalk improvements, pedestrian signal, signage and striping modifications, and drainage and utility improvements. The City's engineering consultant will design construction plans and specifications. These charges will be identified in the Planned Unit Development Agreement.

Councilmember Holden asked if the PUD required improvements to the building on lot 1901.

Planning Consultant Kansier stated this plan does not include any improvements to the building at 1901.

Councilmember Holden questioned if fencing around the gasoline island would be required.

Planning Consultant Kansier explained this was not included, but could be made a requirement.

Councilmember Holmes discussed Condition 16 and recommended language be added to require the applicant to fill to potholes, level the parking lot and sealcoat.

Councilmember Holden supported this recommendation. She commented on Condition 17 and asked if the school district would receive a grading and erosion permit prior to review of the crosswalk plan.

City Planner Mrosła reported the intention of this condition was to have the crosswalk plan delivered to staff prior to the issuance of a grading and erosion permit.

Councilmember Holden recommended a date be included in Condition 17.

City Planner Mrosła anticipated the City would have the crosswalk plan in its hands within the next month.

Councilmember Holmes suggested that all three parties (the City, school district and County) be in agreement by August 1st.

Councilmember Holden supported this recommendation.

MOTION: Mayor Grant moved and Councilmember Holden seconded a motion to approve Planning Case 18-014 adopting Resolution 19-018 for a Comprehensive Plan Amendment and a Master and Final PUD at 1900 Lake Valentine Road, based on the findings of fact and submitted plans, as amended by the conditions in the May 22, 2019, Report to the City Council.

Councilmember McClung commented on Condition 5 and asked if staff believed the current building met City Code Chapter 14.

Planning Consultant Kansier stated Chapter 14 refers to the City's property maintenance code. She explained if the building were to stay some improvements may be necessary.

Councilmember McClung asked if an assessment would be taken of the building or if someone would have to make a complaint with the City.

Planning Consultant Kansier reported she would be working with the Building Inspector to review this building and make a list of what needs to be done.

Councilmember Holden questioned when the City would require the school district to fix any potential deficiencies.

City Planner Mrosła explained the City would follow the property maintenance code to resolve the code enforcement issue.

Councilmember McClung commented on the work the City has planned for Lake Valentine Road in 2020. He asked if it would make sense to include the school improvements as part of the 2020 project and then have the expense assessed back to the school district.

Interim Public Works Director/City Engineer Polka stated this would make sense. She recommended the parking lot surface being completed as part of the 2020 road improvement project. She noted she has not had a discussion with the school district regarding this matter.

Councilmember Holden questioned if the City could assess the school district for this type of work.

City Attorney Jamnik reported with consent of the school cooperative financing could be worked out.

Councilmember McClung requested the reference to Chapter 14 be removed from Condition 5.

Councilmember Holmes commented on Condition 16 and requested it read: the applicant shall fill potholes, sealcoat, restripe the parking lot and install fencing around the motor fuel gas island.

AMENDMENT: **Councilmember Holmes moved and Councilmember Holden seconded a motion to amend Condition 16 to read: The applicant shall fill potholes, sealcoat, restripe the parking lot and install fencing around the motor fuel gas island. The amendment carried (5-0).**

Councilmember Holden requested Condition 17 read: the City staff, Ramsey County Sheriff and school district must meet and approve the final plans prior to August 1, 2019.

AMENDMENT: **Mayor Grant moved and Councilmember Holden seconded a motion to amend Condition 17 to include the following sentence: The City staff, Ramsey County Sheriff's Office and School District must meet and approve final plans by August 1, 2019. The amendment carried (5-0).**

Councilmember Holden requested Condition 19 be amended to add a sentence that states: After completion of the City approved plan for the street crossing area, this condition can be eliminated.

Mayor Grant asked if it would benefit the City to require annual reviews.

City Attorney Jamnik advised if the language were amended to not require annual reviews of the crosswalk plan, the City could still make a request to the school district.

Interim Public Works Director/City Engineer Polka stated because this was a City street a review could be completed at any time.

City Planner Mroska suggested this condition be amended to read: After completion of the final road improvements, an annual review by the applicant is not required.

Councilmember McClung recommended this condition read: The requirement for an annual review will cease upon the completion of permitted pedestrian improvements.

Mayor Grant questioned who would be responsible for paying for upgrades if the crosswalk improvements were found to be insufficient.

City Attorney Jannik commented this would have to be determined at a time when an insufficiency was determined.

AMENDMENT: Councilmember Holden moved and Councilmember Holmes seconded a motion to amend Condition 19 to read: The requirement for an annual review will cease upon the completion of permitted pedestrian improvements. The amendment carried (5-0).

Councilmember Holden commented on Condition 21 and recommended it be amended adding a sentence that reads: The material for the mascot wall sign must be an aluminum alloy.

AMENDMENT: Councilmember Holden moved and Councilmember Holmes seconded a motion to amend Condition 21 adding a sentence that reads: The material for the mascot wall sign must be an aluminum alloy. The amendment carried (5-0).

Councilmember McClung commented on Condition 23 and stated the Council could amend this condition to state the City will make the roadway improvements, with the expense being assessed back to the school district.

City Attorney Jannik reported the Development Agreement would address the cost and design specifications for this portion of the project. He explained it would not be necessary for the Council to address this item within a Condition for approval.

Councilmember Holden requested Condition 24 be added to read: The traffic study must be amended and approved prior to the grading and erosion permit being issued.

Councilmember McClung supported the traffic study being updated in order for this project to properly move forward.

City Planner Mroska suggested Condition 24 read: Prior to receiving a grading and erosion control permit, the applicant shall submit a revised traffic study and address all comments provided in the May 20, 2019 memo from Director Sue Polka.

AMENDMENT: Councilmember Holden moved and Councilmember McClung seconded a motion to add Condition 24 to read: Prior to receiving a grading and erosion control permit, the applicant shall submit a revised traffic study and address all comments provided in the May 20, 2019 memo from Director Sue Polka. The amendment carried (5-0).

Councilmember Holden suggested Condition 25 read: The Lake Valentine Road Improvement Feasibility Study shall include an assessment of the 1901 parking lot.

AMENDMENT: Councilmember Holden moved and Mayor Grant seconded a motion to add Condition 25 to read: The Feasibility Study for the Lake Valentine Road Improvement shall include an assessment of the 1901 parking lot.

Councilmember Scott commented by doing this the school district may receive an economy of scale by combining the roadway improvement project with the parking lot improvements.

City Attorney Jamnik clarified for the record that the feasibility study would not preordain an assessment but rather provides the reasonable aspect of a project and will provide financing alternatives for the school district and City to evaluate and choose from.

Councilmember Holden stated she understood this to be the case.

Councilmember Holmes asked how long the City would hold up its project to accommodate the school.

Councilmember Holden reported the City would not be holding up its project as it was slated to be completed in 2020. She explained she was recommending the feasibility study include the re-pavement of the 1901 parking lot. This would allow the school district to complete this project as part of an assessment process if deemed beneficial to the school district.

The amendment carried (5-0).

Councilmember Holden questioned if the Council could place a date certain for the parking lot improvements. She believed this would be irresponsible on the City Council's part to move forward without a date certain for these improvements.

City Attorney Jamnik suggested language be drafted for Condition 26 to read: Should the School District and City determine not to make the parking lot improvements as part of the Lake Valentine Road Street Improvements, the School District shall make required improvements no later than a specified date. He recommended the Council specify the nature of the required improvements.

Interim Public Works Director/City Engineer Polka stated based on her observation she recommended the parking lot be completely reconstructed.

Paul Apilkowski, representative for the school district, explained he could not commit to this type of improvement at this time. He assured the Council that the school district would be improving and maintaining this property when finances allowed.

Councilmember Holden stated she was not seeking a commitment from the School District but rather was making this a condition for approval.

AMENDMENT: **Councilmember Holden moved and Councilmember McClung seconded a motion to add Condition 26 to read: Should the School District and City determine not to make the parking lot improvements as part of the Lake Valentine Road Street Improvements, the School District shall make required improvements no later than December 31, 2023.**

Mayor Grant requested comment from the school district and asked if this condition was reasonable.

Michael Schwartz, Mounds View Public Schools, explained he had received a \$45,000 bid to redo the siding on the building. He noted this work would be completed on the bus barn yet this summer. He indicated the parking lot would be swept, filled, seal coated and striped this summer. He stated he would like to have the lights installed, the diesel bays removed and the tanks removed in the next three years.

Jeff Ridlehoover, Assistant Superintendent to Mounds View Public Schools, reported the school districts original intention was to update this site to meet all City's requirements. However, after purchasing the property and assessing all of the costs, the school district did not have the funds to complete the parking lot to meet the City's satisfactions. With that being said, the school district would need a little more time to complete the project.

Councilmember McClung questioned if the school district would need three years or five years to reconstruct the parking lot.

Mr. Ridlehoover stated he was unable to answer this question this evening.

Councilmember Holden suggested the school district be given until September of 2024 to complete the work.

Councilmember Holmes was of the opinion the City was not being fair with the school district. She believed so long as the potholes were addressed and the parking lot was resealed the lot would be useable.

Councilmember Holden stated she believed that five years was an ample amount of time to reconstruct the parking lot. She indicated she wanted to ensure that the school district was setting aside funds to reconstruct the parking lot.

Councilmember Scott indicated the school district would have no idea what their budget was for the next five years as this would depend on legislative actions. For this reason, he did not support pinning the school district into a date certain for this portion of the project.

Councilmember McClung asked if Councilmember Holden could accept a friendly amending extending the date to 2026 as this would give the school district seven years to complete the parking lot project.

Councilmember Holden stated she could support this friendly amendment.

AMENDMENT: **Councilmember Holden moved and Councilmember McClung seconded a motion to add Condition 26 to read: Should the School District and City determine not to make the parking lot improvements as part of the Lake Valentine Road Street Improvements, the School District shall make required improvements no later than December 31,**

2026. The amendment carried 3-2 (Councilmembers Holmes and Scott opposed).

Councilmember McClung thanked the school district for hearing the neighbors and for making an adjustment to the lacrosse field location.

The amended motion carried (5-0).

B. Emergency Road Repair – County Road E Watermain

Interim Public Works Director/City Engineer Polka stated a watermain break was repaired last winter on County Road E just west of Goodwill. Due to the timing of the repairs, a temporary patch was installed upon completion of the watermain repairs. The roadway is in need of a permanent patch as the temporary patch is in poor condition and a danger to motorists. Ramsey County has requested that the City complete the repairs as soon as possible. Staff has scheduled the contractor, Klein Underground, LLC to complete the patching and has received a quote of \$18,562.50 to complete the work. Staff recommends that the Council authorize payment to Klein Underground, LLC in the amount of \$18,562.50.

Councilmember Holden asked how long it would take the contractor to complete this work.

Interim Public Works Director/City Engineer Polka stated the work would take one day to complete.

MOTION: **Councilmember Holden moved and Councilmember Holmes seconded a motion to approving asphalt patching on County Road E due to a watermain break, including removals, asphalt, saw cutting, and traffic control in the amount of \$18,562.50. The motion carried (5-0).**

6. UNFINISHED BUSINESS

Councilmember Holmes requested Item B be discussed prior to Item A.

B. Motion to Approve Payment No. 8 and Change Order No. 5 – Sunram Construction – Old Snelling Trail and Watermain Improvements Project

Councilmember Holmes asked if this request should be considered at a future worksession meeting. She stated she was concerned with the number of change orders this project has had, noting the project ran over budget \$500,000.

Interim Public Works Director/City Engineer Polka agreed this may be a worksession item. She indicated the project had run over budget and noted the retaining wall blocks had to be changed out. She stated she would be discussing this project with WSB and staff would be reporting back to the Council on this item.

Mayor Grant supported this item being further discussed at a future worksession meeting.

MOTION: Mayor Grant moved and Councilmember Holmes seconded a motion to approve Payment No. 8 and Change Order No. 5 – Sunram Construction – Old Snelling Trail and Watermain Improvement Project. The motion carried (5-0).

A. Motion to Cancel May 28, 2019 Regular City Council Meeting

Councilmember Holmes stated she was uncertain if the Council would be able to cancel this meeting at the beginning of the meeting. However, she noted she supported the cancelation of this meeting.

MOTION: Mayor Grant moved and Councilmember Holden seconded a motion to cancel the May 28, 2019 Regular City Council Meeting. The motion carried (5-0).

7. COUNCIL COMMENTS

Councilmember Scott stated this week was National Public Works Week.

Councilmember Scott indicated the Ramsey County League of Local Government would be meeting on Thursday, June 13th. He noted he needed an alternate to attend this meeting for him.

Councilmember McClung reported he would not be able to attend the event at the Public Works Department on Thursday, May 23rd.

Mayor Grant commented the PTRC met on Tuesday, May 21st.

ADJOURN

MOTION: Mayor Grant moved and Councilmember Holden seconded a motion to adjourn. The motion carried unanimously (5-0).

Mayor Grant adjourned the Regular City Council Meeting at 8:43 p.m.

Julie Hanson
City Clerk

David Grant
Mayor