

- MINUTES -
CHASKA CITY COUNCIL
JUNE 21, 2010

1. Call to Order

The meeting was called to order by Mayor Windschitl at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Schulz, Boe, Ford, Businaro, and Mayor Windschitl. Absent:

Also Present: Luke Melchert, City Attorney; Bart Fischer, Assistant City Administrator; Noel Graczyk, Administrative Services Director; Kevin Ringwald, Director of Planning and Development; Barb Hand, Assistant Financial Director; and Matt Podhradsky, City Administrator.

4. Adopt the Agenda

Motion by Councilmember Ford, second by Councilmember Schulz to adopt the agenda as presented.

Motion carried.

5. Visitor

Presentation of Center Point Grant by Jessica Miller to Chief Scott Knight.

Ms. Miller presented Chief Knight of the Chaska Police Department with \$2500 toward a mobile command post vehicle.

Presentation of Captain Jon Kehrberg.

Chief Knight introduced Captain Jon Kehrberg to the Council in recognition of his recent promotion.

Presentation of Community Policing Initiative Program.

The item was not presented to the Council at this time.

Nate Bostrom, of 2743 Faulkner Drive, Chaska, and also a member of the Chaska Park and Recreation Board, read a motion passed by the Park Board encouraging Block 6 to be used for recreational purposes.

Councilmember Ford mentioned that the Downtown Master Planning Task Force was also studying the issue. Councilmember Businaro, Kevin Ringwald, Director of Planning and Development, and City Administrator Matt Podhradsky stated there would be a public input process toward the end of the planning process.

The Assistant Administrator, Bart Fischer, presented the new Administrative Interns, Emily Kendall and Esther Lee, to the Council.

Mayor Windschitl announced that the new audio/video equipment installed in the Council Chambers was being used for the first time tonight. Jason Kirsch, Cable Coordinator, also presented information on the new equipment.

6. Minutes

Motion by Councilmember Boe, second by Councilmember Businaro to approve the minutes of the June 7, 2010 City Council meeting.
Motion carried.

7. Consent Agenda

Councilmember Businaro inquired about the reason for putting a large planning item (Item 7g) on the Consent Agenda for approval and was told by the City Administrator that this has been past practice when there has been no change from the preliminary plat approval to final plat approval.

Councilmember Businaro asked about the impact of the project on the other nearby buildings and the amount of traffic generated. The Planning Director said the building's use is an issue of timing and what the market will bear and that traffic is much less now than in the original proposal.

The Mayor stated he was also concerned about parking and felt there were too few spaces. The Planning Director said the parking followed the Ordinance but more could be added.

Councilmember Schulz asked what the staff to resident ratio would be and was told by the applicant, Lonnie Kornovich, there would be 15-18 personnel per shift.

Motion by Councilmember Businaro, second by Councilmember Ford to approve the Consent Agenda Items a through g:

- a. Approve Minutes of the June 9, 2010 Planning Commission Meeting
- b. Approve Minutes of the June 14, 2010 Park Board Meeting
- c. Approve Ordinance #841 – Relating to the Adoption of the State Building Code
Motion to adopt Ordinance No. 841, approving minor language revisions in the Building Code.
- d. Adopt Resolution No. 10-38 Awarding Phase 1 of the Scenic View and Valley View Street Rehabilitation Contract to Chard Tiling & Excavating, Inc.
Motion to approve Resolution No. 10-38 awarding the bid for Phase 1 of the Scenic/Valley View Street Rehabilitation Project to Chard Tiling and Excavating in the low bid amount of \$194,581.08.
- e. Adopt Resolution No. 10-42 Approving Solicitor Permits for Twin Cities Environmental Resources Representatives
Motion to adopt Resolution No. 10-42 approving Solicitor Permit Nos. SOL.10-12, SOL. 10-13, SOL. 10-14, and SOL. 10-15 in the names of Joshua Stewart, Jacob Adams, Kamal M. Adem, and Eric M. Powles, respectively of Twin Cities Environmental Resources located at 4530 W. 77th Street, Edina, Mn. 55345 for the period June 22, 2010 through December 31, 2010.
- f. Adopt Ordinance #840 Relating to the Discharge of Storm Water
Motion to adopt Ordinance No. 840, approving the amendment to the Sanitary Sewer Discharge ordinance (Chapter 19, Section 63(c)) of the Code of Ordinances.

- g. Adopt Resolution No. 10-45 Approving Final Site and Building Plans for Highland Shores Assisted Living/PC. 10-04/Kornovich Development
Motion to adopt Resolution No. 10-45, approving the Final Site and Building Plans for the Highland Shores Assisted Living & Memory Care facility, subject to the stipulations and conditions included in said resolution.

Motion carried.

8. Adopt Resolution No. 10-43 Authorizing General Obligation Improvement Bonds, Series 2010A

The City Administrator presented the item to the Council.

Dave MacGillivray, of Springsted Financial, appeared before the Council to further explain the item.

Councilmember Businaro inquired about the outlook regarding the Standard and Poors attachment (included), which Mr. MacGillivray explained.

The City Administrator thanked Dave MacGillivray and the staff of Springsted for their work, as well as the Administrative Services Director, Noel Graczyk, and Barb Hand, the Assistant Financial Director.

Councilmember Ford asked for an explanation of the AA Bond rating. Mr. McGilvery explained the process and that there are only 30 cities and counties in the State of Minnesota with an AA rating.

Motion by Councilmember Businaro, second by Councilmember Schulz to adopt Resolution No. 10-43 Authorizing issuance, awarding sale, prescribing the form and details and providing for the payment of \$3,220,000 General Obligation Improvement Bonds, Series 2010A.

Motion carried.

9. Adopt Resolution No. 10-44 Approving the Issuance by the Carver County Community Development Agency of its Governmental Refunding Bonds

The City Administrator presented the item to the Council.

Councilmember Businaro inquired about the procedure in issuing bonds.

The City Administrator stated that these bonds will be sold through the Carver County Community Development Agency but with the pledge of the City behind the sale.

Motion by Councilmember Ford, second by Councilmember Boe to adopt Resolution No. 10-44 Approving the issuance by the Carver County Community Development Agency of its Governmental Refunding Bonds (City of Chaska, Minnesota Unlimited Tax General Obligation) Series 2010 and the pledge of the full faith and credit of the City of Chaska thereto, and authorizing the execution and delivery of related documents.

Motion carried.

10. Consider Approval of Lease Agreement with Clearwire for Water Tower Space

The Assistant Administrator presented the item to the Council.

Councilmember Ford stated the City had anticipated this would occur; that other service providers would enter the market.

Councilmember Businaro said it was his understanding that we are allowing them to do what we have essentially allowed other entities to do on our towers, and the City Administrator agreed.

The Mayor asked if this request would interfere with the City's space or procedures and when Clearwire would begin marketing. The city Administrator said it would not interfere.

Deb Weiss, of Clearwire, stated they planned to begin marketing in the fourth quarter of this year.

Councilmember Boe asked how many other sites they would require in the City and what they would look like.

Ms. Weiss said they will have one at the high school and one at the reservoir tower and they will look about the same as the antennae on the towers now.

Councilmember Boe pointed out the portion of the lease agreement on Page 2 that stated the City cannot break the contract but Clearwire can.

Both the City Administrator and Ms. Weiss addressed the question, stating it is because of the investment in infrastructure Clearwire will have and the City's protection is that Clearwire will not interfere with the location of the City's equipment.

Councilmember Businaro asked if Clearwise is regulated by the FCC. Ms. Weiss said they are. Councilmember Businaro also asked what speed of service Clearwire would provide their customers. Ms. Weiss stated it is a 4g network.

Councilmember Ford asked if the lease rate is for all locations and was told by Ms. Weiss that it is on a site by site basis.

Councilmembers Businaro and Boe, along with Mayor Windschitl, said the lease provides competition, which is good and hopefully we will all be good neighbors.

Motion by Councilmember Businaro, second by Councilmember Schulz to authorize the Mayor and City Administrator to execute a lease agreement with Clear Wireless, LLC once all drawings, surveys, exhibits and other lease related documents have been approved by City Staff.

Motion passed 4-1. Councilmember Boe opposed.

11. Bills

Councilmember Businaro inquired about a payment to the Minnesota Golf Association, which the City Administrator addressed.

Mayor Windschitl inquired about a payment to the Green Isle Fire Department. He also inquired about out of town travel expenses, a rebate to Qualitech, payment to Valley Paving for Hundertmark Road, and refund checks through the Community Center. The City Administrator explained all the payments.

Councilmember Schulz inquired about tree allowance payments and was told they were for replacement of trees during street reconstruction projects.

Motion by Councilmember Boe, second by Councilmember Businaro to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Schulz, Boe, Ford, Businaro, and Mayor Windschitl. Voting nay: None
Motion carried.

12. Other Business

Councilmember Schulz:

- Inquired what can residents and businesses do regarding animal/pest control and the City Administrator said the Police Department will provide live traps.

Councilmember Boe:

- Inquired about promoting the summer band concerts in the park with a banner across the Highway 41.
- Asked if planters could be added to the downtown entry near the river on Highway 4 old they create safety and access issues.
- Asked if the fireworks vendor in the parking lot of Coopers need to obtain a permit and was told the Fire Marshal issues the permit.
- Asked if the sidewalks in Clover Field/Ridge could be cleaned up from the mess made by geese.

Councilmember Ford:

- Reminded the Council and residents of "Nite on the Town" on Thursday, June 24th, sponsored by the downtown businesses.

Councilmember Businaro:

- Thanked the City Administrator for the Biweekly report in each Council packet and asked if it is included on line. He was told that the packet and Biweekly are online.

Mayor Windschitl:

- Asked the cable crew to introduce themselves.

13. Adjourn

Motion by Councilmember Ford, second by Councilmember Boe to adjourn the meeting at 9:10 p.m.
Motion carried.