

**OAKDALE CITY COUNCIL
REGULAR MEETING
July 23, 2019
No. 2019-15**

CALL TO ORDER

A regular meeting of the City Council of the City of Oakdale was held on Tuesday, July 23, 2019, at Oakdale City Hall, 1584 Hadley Avenue N., Oakdale, Minnesota. The meeting was called to order by Mayor Paul Reinke at 7 PM.

CALL OF ROLL

On a call of roll, the following were present:

Mayor Paul Reinke

Council Members: Jake Ingebrigtsen
Susan Olson
Colleen Swedberg
Kevin Zabel

Absent: None

Also Present: Brian Bachmeier, Public Works Director/City Engineer
Susan Barry, City Clerk
Bart Fischer, City Administrator
Chelsea Petersen, Administrative Services Director
Emily Shively, City Planner
Bill Sullivan, Chief of Police
Bob Stretar, Community Development Director
Jim Thomson, City Attorney

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: **Workshop, June 25, 2019**
 Workshop, July 9, 2019
 Regular Meeting No. 2019-14, July 9, 2019

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER OLSON, TO APPROVE THE WORKSHOP MINUTES OF JUNE 25, 2019, AS PRESENTED.

4 AYES. 1 ABSTENTION – ZABEL.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG, TO APPROVE THE WORKSHOP MINUTES OF JULY 9, 2019, AS PRESENTED.

5 AYES.

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A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER OLSON, TO APPROVE THE MINUTES OF REGULAR MEETING NO. 2019-14, DATED JULY 9, 2019, AS PRESENTED.

5 AYES.

BOND SALE

Dave MacGillivray, Baker Tilly Municipal Advisors, commented on the many decades he has worked with Oakdale and noted that he would be taking on a consulting role

Elizabeth Bergman, Baker Tilly Municipal Advisors, reviewed the results of the recent bond sales and shared comments provided by Moody's Investor services on the city's bond rating. She commented on the excellent interest rates and recommended award.

In response to a question from Council Member Zabel, Ms. Bergman explained that investors commonly request that the amount of a bond be downsized and then pay more interest as a way to protect future interest rates. She further explained that this does not affect the city's records, only that of the investor.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO WAIVE READING AND ADOPT RESOLUTION NO. 2019-72, AWARDED THE SALE OF \$3,055,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2019A, TO ROBERT W. BAIRD AND COMPANY INC., FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG, TO WAIVE READING AND ADOPT RESOLUTION NO. 2019-73, AWARDED THE SALE OF \$950,000 GENERAL OBLIGATION EQUIPMENT CERTIFICATES OF INDEBTEDNESS, SERIES 2019B; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT.

5 AYES.

OPEN FORUM

Mayor Reinke opened the meeting up to the audience at this time. No comments were heard.

CONSENSUS MOTIONS

Council Member Swedberg requested that item "A" be pulled for discussion.

Council Member Ingebrigtson requested that item "B" be pulled for discussion.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO APPROVE THE FOLLOWING CONSENSUS MOTIONS:

- c) **Waive reading and adopt Resolution No. 2019-75, Approving a variance from the front setback requirement for a two-car garage at 341 Greenway Avenue (Heimerman).**
- d) **Waive reading and adopt Resolution No. 2019-76, Approving a Conditional Use Permit for a 192-square foot accessory building at 7284 Stillwater Boulevard (Melco).**
- e) **Waive reading and adopt Resolution No. 2019-77, Approving a Conditional Use Permit for an electronic message sign at 828 Greenway Avenue (Tartan High School); and waive reading and adopt Resolution No. 2019-78, Approving a Conditional Use Permit for an electronic message sign at 6675 – 50th Street (Castle Elementary School).**

5 AYES.

CONSENT ITEM B – CONTRACT TO PREPARE BIKE AND PEDESTRIAN PLAN

Mayor Reinke noted that per a discussion at a meeting held earlier, the contract with Toole Design Group LLC to prepare a bike and pedestrian plan would be tabled to allow for additional review.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO TABLE ACTION TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES AND A MEMORANUM OF UNDERSTANDING BETWEEN THE CITY OF OAKDALE AND TOOLE DESIGN GROUP LLC FOR THE PREPARATION OF A NEW BIKE AND PEDESTRIAN PLAN.

5 AYES.

CONSENT ITEM A – HIRE SEASONAL EMPLOYEE FOR THE FORESTRY DIVISION

Council Member Zabel inquired about the necessity of filling a seasonal position at this point in the season.

Public Works Director/City Engineer Bachmeier explained that the Forestry Division is responsible for maintaining all of the city's landscaped areas and are in need of additional help at this time of year.

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO WAIVE READING AND ADOPT RESOLUTION NO. 2019-74, APPROVING THE HIRING OF CATHERINE JAEGER AS A SEASONAL EMPLOYEE FOR THE FORESTRY/ENVIRONMENTAL SERVICES DIVISION OF THE PUBLIC WORKS DEPARTMENT, EFFECTIVE JULY 24, 2019, AND AT A RATE OF \$13 PER HOUR, CONSISTENT WITH THE CURRENT PAY PLAN.

5 AYES.

ADVISORY BOARDS AND COMMISSIONS

a) **Environmental Management Commission: Minutes of April 15, 2019**

The City Council acknowledged receipt of the Environmental Management Commission minutes of April 15, 2019.

b) **Parks and Recreation Commission: Minutes of May 21, 2019**

The City Council acknowledged receipt of the Parks and Recreation Commission minutes of May 21, 2019.

c) **Planning Commission: Minutes of May 2, 2019**

The City Council acknowledged receipt of the Planning Commission minutes of May 2, 2019.

OTHER STAFF

a) **Police Department: Code of Ordinances, Chapter 9, Article III – Tobacco**

Police Chief Sullivan provided an overview of the updated code relating to tobacco sales being recommended for adoption; changes including: prohibitions on smoking and sampling of tobacco products and self-service sales, updated regulations on the use and sale of electronic delivery devices and cigars, prohibition on smoking lounges, updated compliance check regulations, and more comprehensive administrative penalty procedure.

Council Member Olson asked for a definition of “good moral character and repute” in Section 9-33(8).

City Attorney Thomson explained that the phrase is used in state law and is applied on a case-by-case basis.

Council Member Olson asked to be provided with some examples.

Chief Sullivan added that an applicant would have the opportunity to appeal if denied on this basis.

Council Member Ingebrigtsen asked about any issues having the age to sell lower than the age to buy.

Chief Sullivan explained that the police department conducts compliance checks.

Council Member Zabel shared how the city strives to develop codes and regulations that are near to perfect as possible.

A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER OLSON, TO WAIVE READING AND ADOPT ORDINANCE NO. 847, AMENDING THE CODE OF ORDINANCES FOR THE CITY OF OAKDALE, CHAPTER 9 – LICENSES AND BUSINESS REGULATIONS, ARTICLE III – TOBACCO, IN ITS ENTIRETY; AND TO WAIVE READING AND ADOPT RESOLUTION NO. 2019-79, APPROVING THE SUMMARY PUBLICATION OF AN ORDINANCE PERTAINING TO THE REGULATIONS OF TOBACCO.

5 AYES.

PUBLIC WORKS DIRECTOR/CITY ENGINEER

a) Project Update

Public Works Director/City Engineer Bachmeier provided the following updates:

- Recent Storms: No notable storm damage to Oakdale area.
- Highway 36 and Hadley Interchange: Current components being worked on: noise wall, Gateway trail tunnel, bridge deck, and utilities
- 2019 Street Improvements: Paving and installation of lighting underway.
- Lift Station #13 Rehabilitation: Project starting September 2.

In response to comments shared by Council Members Ingebrigton and Olson, Public Works Director/City Engineer Bachmeier noted that he would talk to the contractor working on Helmo Avenue about the consistent use of manual traffic controls during the paving operations.

CITY ATTORNEY

a) Update on Robocalls

City Attorney Thomson responded to an inquiry from Council Member Ingebrigton on whether the city was able to regulate robocalls. He explained that only the Federal Communications Commission (FCC) can regulate robocalls. Attorney Thomson noted that persons may place their telephone numbers on a Do Not Call list and that a recent FCC amendment now allows cell phone providers to regulate robocalls.

COUNCIL PRESENTATIONS

a) Upcoming Events and Reminders

Mayor Reinke announced the following: farmers market (Wednesdays, 2 to 6 PM, City Hall parking lot), Vetsfest (July 27, Walton Park), Summer Concerts (The Bazillions, July 24, Walton Park, and “ForEver Young”, August 7, Walton Park), and Outdoor Amphitheater Presentation on Snakes (August 1, Discovery Center).

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CLAIMS

A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG, TO APPROVE THE CLAIMS FOR THE PERIOD OF JULY 6 TO JULY 19, 2019, IN THE AMOUNT OF \$1,086,246.56.

5 AYES.

ADJOURNMENT

The meeting adjourned at 7:32 PM.

Respectfully submitted,
Susan Barry,
City Clerk