

**REGULAR MEETING  
OAKDALE CITY COUNCIL  
May 10, 2022**

**CALL TO ORDER**

A regular meeting of the City Council of the City of Oakdale was held on May 10, 2022, at Oakdale City Hall, 1584 Hadley Avenue, Oakdale, Minnesota. The meeting was called to order by Mayor Paul Reinke at 7:00 PM.

**CALL OF ROLL**

On a call of roll, the following were present:

Mayor Paul Reinke

Council Members:     Jake Ingebrigtsen  
                              Colleen Swedberg  
                              Kevin Zabel  
                              Susan Olson

Staff Present:           Christina Volkers, City Administrator  
                              Jim Thomson, City Attorney  
                              Kathy Laur, City Clerk  
                              John Shardlow, Stantec Engineer  
                              Nick Newton, Police Chief  
                              Jason Zimmerman, Finance Director  
                              Brian Bachmeier, Interim City Engineer  
                              Jim Romanik, Public Works Manager  
                              Andrew Gitzlaff, Community Development Director  
                              Lori Pulkrabek, Communications Manager

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA**

Several changes were requested.

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG, TO APPROVE THE AGENDA AS AMENDED AND AMENDED AGAIN FOR THE MEETING OF MAY 10, 2022.**

**5 AYES.**

**PUBLIC HEARING**

Stormwater Pollution Prevention Plan (SWPPP) – Annual Report for the 2021 Municipal Separate Storm Sewer System (MS4)

Interim City Engineer Brian Bachmeier presented the SWPPP Annual Hearing Mandated by the National Pollution Discharge Elimination System (NPDES) Phase 2. Mr. Bachmeier presented a program update of the stormwater permit status. The Construction Storm Water (CSW) Permit is effective from August 1, 2018 and expires July 31, 2023. This applies to construction projects. The MS4 General Permit is effective November 16, 2020 and expires November 15, 2025. This applies to maintenance of public storm sewer systems. The City received coverage under the general permit October 1, 2021.

Mr. Bachmeier also presented the program compliance actions needed specifically to changes for the MS4 Permit for 2022. Specifically an ordinance requiring proper salt storage at private facilities; Illicit discharge inspections in identified high risk areas; Illicit discharge training for all public works, police, and fire department staff; Additional educations and outreach requirements regarding deicing salt and pet waste, and; More detailed written procedures/requirements for several areas.

Mayor Reinke opened the public hearing at 7:06pm. No one from the public came forward. Mayor Reinke closed the public hearing at 7:07pm.

### **APPROVAL OF MINUTES**

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG TO APPROVE THE WORKSHOP MINUTES OF APRIL 26, 2022, AS PRESENTED.**

**5 AYES.**

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON, TO APPROVE THE REGULAR MEETING MINUTES OF APRIL 26, 2022 AS PRESENTED.**

**5 AYES.**

### **PROCLAMATION**

Mayor Reinke presented the Proclamation for National Police Week to commemorate police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities

### **OPEN FORUM**

Greg McGrath, of 2363 Gresham Ave. North requested that the council add speed limit signs on Gresham Ave. North and 24<sup>th</sup> St. North. Speeding traffic is a problem and he is very concerned. City Administrator Volkens asked that he speak to the City Clerk with detailed information and she will ensure city staff responds.

### **CONSENSUS MOTIONS**

- a) It is requested the City Council approve the renewal of the Secondhand Goods dealer license to Guitar Center Stores, Inc. dba Guitar Center Stores #394, 8316 3rd Street North, for the license period of one year from the issuance date contingent upon background clearance completed by the Oakdale Police Department.
- b) It is requested that the City Council waive reading and approve Resolution 2022-xxx for the Tartan Youth Hockey Association to conduct lawful gambling (*pull-tabs, bar bingo, tip boards, paddle wheel, electronic pull tabs, electronic linked bingo*) at D-Spot, located at 7129 10th Street N.
- c) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoints the Summer Program Instructors for the Recreation Department, as noted.

- d) Staff is recommending the City execute the Authorization and Scope of Work at the proposed rate for strategic communications and crisis communications between the City of Oakdale and Omodt & Associates Critical Communications LLC.
- e) It is requested that the City Council waive the reading and adopt Resolution 2022-xxx, approving the Easement Documents for Parcels 11 and 25 between the City of Oakdale and the Metropolitan Council Environmental Services for the placement of an interceptor sewer.
- f) It is requested that the City Council waive reading and adopt Ordinance xxx, Amending the Code of Ordinances for the City of Oakdale, Chapter 25 – Zoning; Articles 6, 11, 12, 13, 14, 15, 18 adding EV-ready language.
- g) It is requested that the City Council authorize the Mayor and City Administrator to enter into an agreement for Kamco Stump & Tree Removal project in the amount of \$19,600.
- h) It is requested that the City Council authorize the Mayor and City Administrator to enter into an agreement for the Haaven’s Stump Removal project in the amount of \$6,312.53.
- i) It is recommended the City Council waive reading and adopt resolutions 2022-xxx declaring the intent to reimburse certain expenditures from the proceeds of bonds to be issued by the City for the 2022 Street Reconstruction and Overlay Project, 40<sup>th</sup> Street Reconstruction Project, and Ideal Avenue Reconstruction Project.
- j) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Asher Cottrell as a Public Works Seasonal Worker with an effective date to be determined, at a rate of pay equal to \$16.00/hour.
- k) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Henry Hemmelgarn as a Public Works Seasonal Worker with an effective date to be determined, at a rate of pay equal to \$16.00/hour.
- l) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Kate Figmiller as a Public Works Seasonal Worker with an effective date to be determined, at a rate of pay equal to \$16.00/hour.
- m) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Alex Monack as a Public Works Seasonal Worker with an effective date to be determined, at a rate of pay equal to \$16.00/hour.
- n) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Jack Schoenecker as a Public Works Seasonal Worker with an effective date to be determined, at a rate of pay equal to \$16.00/hour.
- o) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Brandon Blank as a Public Works Seasonal Worker with an effective date to be determined, at a rate of pay equal to \$16.00/hour.

- p) It is requested that the City Council appoint Michael McCauley to the Planning Commission for the period of May 11, 2022 to June 30, 2023.
- q) It is requested the City Council authorize the Mayor and City Administrator to enter into an agreement with Mike Turnbull to fire marshal services as a Local Fire Code Consultant effective May 23, 2022.
- r) It is requested per City Code, Chapter 2, Article IV, Sec.2-36 (c) and per City Personnel Policy PE-031, Section 5.0, that the City Council appoint Corey Pudil as full-time probationary Police Officer effective May 14, 2022, at a rate of pay consistent with the City base pay schedule.
- s) Staff recommends approving the issuance of a temporary beer license to the Maplewood Oakdale Lions Club for the Summerfest event to be held at Walton Park on June 24 and 25, 2022.
- t) It is requested that the City Council authorize the Mayor and City Administrator to enter into an agreement with 4 Corner Architectural Metal, Inc. in the amount of \$15,000.00 for the Guthrie Park Picnic Shelter Re-roof City Project P2022-02.
- u) Adopt a motion approving the amendment to the City Administrator's employment agreement and authorizing the Mayor and City Administrator to sign the amendment.

**A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON SECONDED BY COUNCIL MEMBER OLSON TO APPROVE CONSENT AGENDA ITEMS A THROUGH U AS PRESENTED.**

**5 AYES.**

#### **OATH OF OFFICE**

Police Chief Newton introduced newly hired Police Officer Corey Pudil. He has come to us from the City of Gaylord where he served for three years. Mayor Reinke swore in new Officer Corey Pudil.

#### **ADVISORY BOARDS AND COMMISSIONS**

Economic Development Commission held their meeting on 4/18/2022. Council Member Olson is the liaison. She reported that the EDC had a good meeting. Tyler Hilsabeck from the Washington County Business Advisor for Open for Business Program came in to talk about what is available to businesses for loans and any kind of help with business planning. If interested the contact information is Info@mccdmmn.org and/or 612-789-7337.

Environmental Management Commission (no meeting)

Planning Commission (no meeting)

The Parks and Recreation Commission (no meeting)

The Tree Board (no meeting)

#### **STAFF REPORTS**

City Engineering

Accept Feasibility Report, Call, for a Public Improvement Hearing, and Authorize Preparation of Plans and Specifications for City Project R2022-02, 40<sup>th</sup> Street North Reconstruction

Interim City Engineer Bachmeier asked to review and approve the Feasibility Report for the 40<sup>th</sup> Street Improvement Project. This project was initiated by a petition from a developer. There are actually two property owners; Mario Cocchiarella of White Star Farms and The Springs of Willow Creek, and Dan Minahan of Continental Real Estate. This report was prepared in response to that petition. The report addresses street and storm sewer improvements along 40<sup>th</sup> Street North between Interstate Highway 694 and Ideal Avenue North. Willowbrooke is in the process of installing the water and sanitary sewer on this new alignment and doing the demolition of the existing 40<sup>th</sup> Street and working on the private utilities relocation.

Mr. Bachmeier stated that the total estimated project cost for the project is \$3,453,293. This is approximately \$350,000 more than reflected in the CIP. The additional costs are due to higher bid prices. A public hearing is scheduled for June 14, on this matter.

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG TO WAIVE READING AND ADOPT RESOLUTION 2022-xxx, ACCEPTING THE FEASIBILITY REPORT, CALL FOR THE PUBLIC IMPORVEMENT HEARING ON JUNE 14, 2022 AND AUTHORIZE THE PREPARATION OF PLANS AND SPECIFICATIONS.**

**5 AYES**

Approval of Plans and Specifications for City Project R2022-02, 40<sup>th</sup> Street North Reconstruction and Authorize Advertisement for Bids

Mr. Bachmeier asked for approval of the construction plans related to or the 40<sup>th</sup> Street North reconstruction and authorization for the advertisement of bids. These plans are consistent with the plans in the master service agreement and the planned unit development (PUD) for Willowbrooke. It will also include the first locally owned roundabout in the community at the intersection of Helmo Ave. and 40<sup>th</sup> St. The construction plans include the street, sidewalk, trails and the storm sewer and street lighting associated with the project.

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER OLSON TO WAIVE READING AND ADOPT RESOLUTION 2022-xxx, APPROVING THE PLANS AND SPECIFICATIONS FOR CITY PROJECT R2022-02, 40<sup>TH</sup> STREET NORTH RECONSTRUCTION AND AUTHORIZE THE ADVERTISEMENT FOR BIDS.**

**5 AYES**

Authorize Approval or Project to Replace Pipe for Surface Water

Mr. Bachmeier asked the Council to approve a project to replace pipe for the storm sewer on Hudson Blvd. The I-94 resurfacing project that will be starting at Trunk Highway 120 and going to the St. Croix River. MNdot is not only looking at the pavement but the storm sewer system and all the culverts that cross under I-94. They did identify one that was in very poor condition. That storm sewer continues under Hudson Blvd. The pipe is very old, rusting and the bottom is gone. The conclusion is that it needs to be replaced. The pipe is about 82-feet long. This expense is not in the CIP, but three options were considered. They are stand-alone work with the Gold Line Project including design/inspection/administration for \$92,235; or, combine the project with the Gold Line Project and watershed district improvements including

design/inspection/administration for \$72,235, or stand-alone work post Gold Line Project including design/inspection/administration for \$166,835.

Mr. Bachmeier recommends doing the work now in combination with the Gold Line project and the watershed for a cost of \$72,235 and the City enter into an agreement with the Watershed District, whereby they finance the city's share of the project with payback by the City in five years at 0% interest/fees, with the City reimbursing the Watershed District in 2027. The combined project being completed with the Gold Line work will result in the lowest cost to the city.

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG REQUESTING THE CITY COUNCIL APPROVE THE PIPE REPLACEMENT PROJECT FOR SURFACE WATER FROM TANNERS LAKE TO BATTLE CREEK LAKE AND AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH RAMSEY WASHINGTON METROPOLITAN WATERSHED DISTRICT FOR PAYBACK IN 2027 WITH NO INTEREST OR FEES FOR \$72,235.**

**5 AYES**

Community Development

Rios De Agua Viva Church – Onsite Parking Variance, CUP and Site Plan

John Shardlow with Stantec Consulting said the application before the Council was a continued public hearing for Rios de Agua Viva Church for a conditional use permit and a variance. Mr. Shardlow stated that good progress has been made on storm water, screening and landscape issues. The concern for the Council has been with respect to proposed solutions for off-site parking. The current site plan does not include off-site parking required by ordinance. The council requested at a previous meeting that the applicant try and find more parking spaces on site. Nine additional parking spaces were able to be added so they are at 90% of the requirement. They could request a variance for that amount of parking and no longer pursue the off-site parking. Mr. Shardlow stated there are three options available to the council. One would be to deny the application because it doesn't meet the required parking so essentially deny the variance application and attach a condition to the CUP that would require them to reduce the capacity in the sanctuary and meeting rooms to comply with the requirement. Another option would be to approve the variance based upon the information in the background report. A final option would be to approve the variance with conditions.

Peter Hill, the architect for the church project and Robert Lada the site engineer, addressed the Council and said they tried to remedy all of the Council's concerns on the project. There is a transportation consultant on the project. Mayor Reinke would like to be sure everything is done correctly prior to the issuance of the Certificate of Occupancy.

Mr. Hill also read a statement by the Church pastor regarding the project. That statement will be entered into the record.

Discussion ensued. Mayor Reinke read a proposed amended Resolution 2022-xxx prepared in part by staff approving a variance for a reduction in onsite parking for the proposed Iglesia Rios de Agua Viva Church, 7287 Stillwater Blvd. N. including the creation and implementation of a parking management plan prior to issuance of a certificate of occupancy.

As stated in the proposed Resolution, this plan shall require periodic monitoring and reporting of the adequacy of on-site parking to support the churches operation. If the demand for parking exceeds the capacity, in an amount and frequency defined as significant, the owners shall implement mitigation measures outlined in the parking Management Plan. These mitigations actions may include, but not be limited to, busing, vanpooling, and ride sharing. If the implementation of the Parking Management Plan is

unsuccessful in alleviating the parking shortage, the City reserves the right to require the limitation of seating capacity, meeting spaces and use to meet the ordinance requirements. The Parking Management Plan shall be prepared by the owners and approved by City staff. Conditions that require the initiation of actions shall be defined in the Plan, but the City shall retain the authority to administer and enforce this condition.

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTSON TO APPROVE A VARIANCE TO ALLOW LESS ONSITE PARKING OF 217 STALLS WHERE 245 STALLS ARE REQUIRED BY CITY CODE. SUBJECT TO CONDITIONS AS OUTLINED IN THE ATTACHED RESOLUTION.**

**5 AYES**

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER OLSON TO APPROVE A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A CHURCH IN THE R-2 ZONING DISTRICT ON THE PROPERTY AT 7287 STILLWATER BLVD., WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.**

**5 AYES**

**A MOTION WAS MADE BY COUNCIL MEMBER INGEBRIGTSON, SECONDED BY COUNCIL MEMBER OLSON TO APPROVE THE SITE PLAN FOR RIOS DE AGUA VIVA CHURCH LOCATED AT 7387 STILLWATER BLVD. AS SHOWN IN THE ATTACHED PLANS, WITH CONDITIONS INCLUDED IN THE ATTACHED RESOLUTION.**

**5 AYES**

**CITY ATTORNEY – JIM THOMSON**

No report

**ADMINISTRATOR'S REPORT**

No report

**COUNCIL PRESENTATIONS**

Council Member Zabel stated he wanted to wish the Tartan Relay for Life group best wishes. They have their annual event coming up on May 20. It's a big event that raises money for the cancer society. They are one of the top raising teams in the country.

Council Member Swedberg said thanks to the Public Works department and Loren Cota, the City Forester, for all their efforts for the Arbor Day Event and the tree giveaway despite the cold weather. She said they really did a good job.

Council Member Olson stated she agreed with Council Member Swedberg on the cold weather and we need better weather next year.

Council Member Ingebrigtsen stated the blame for bad weather falls to meteorologist Paul Douglas (kidding).

Mayor Reinke stated that the Arbor Day Event went really well from set up to delivery.

Mayor Reinke also took a moment to deliver a summary of City Administrator Volk's performance review from April 26, 2022. He stated Ms. Volk is doing an outstanding job. She has a wide range of experiences and is highly competent in all aspects of her job. She is highly qualified and the Council is happy she

REGULAR MINUTES  
MAY 10, 2022  
PAGE EIGHT

accepted the position and is greatly appreciative of her work. The City Council is looking forward to working with her and the new team in the upcoming years.

### **AWARD OF BIDS**

Award of Bid for City Project U2022-02, Lift Station 6 Improvements.  
Interim City Engineer Bachmeier said bids were opened on April 25, 2022 for the Lift Station 6 improvement. One of the contractors, Minger Construction Co., has done two previous lift stations for the City of Oakdale. Mr. Bachmeier's estimate for the construction work was \$737,800. The bid results are about 66% higher than the Engineer's estimate due to factors including material prices, supply chain issues, and contractor work volume.

Mr. Bachmeier stated that based on the bid, the total project cost is estimated at \$1,499,041.32, which includes a 5% construction contingency and \$210,000 in engineering, administration and miscellaneous costs. Lake Elmo has a 30% share of the cost for a total of \$499,712.40, which they approved on May 3, 2022. Oakdale's cost from utility reserves will be \$1,049,328.92 for a total of \$1,499,041.32. The impact to the utility reserve fund is \$406,328. This is more expenses than what is reflected in the 2022-2026 CIP. Finance Director Zimmerman has indicated that we should take this opportunity, as we update the CIP, and see what we can do to increase the balance of the fund in future years as this additional expense will be a burden on the fund. Pember Companies has not done work in Oakdale in the past, but has done so in communities around us and they came recommended. Mr. Bachmeier recommends that the project be awarded to Pember Companies, Inc. in the amount of \$1,227,658.40.

Council Member Zabel asked about a \$50,000 discrepancy in the numbers. By his calculations the total project financing should be close to \$1,549,000 not \$1,499,000. Mr. Bachmeier stated Mr. Zabel was correct.

Mr. Bachmeier will review the calculation errors and update the RCA with corrections.

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER INGEBRIGTON TO WAIVE READING AND ADOPT RESOLUTION 2022-XXX AWARDED CITY PROJECT U2022-02, LIFT STATION 6 IMPROVEMENTS CONTRACT TO PEMBER COMPANIES, INC. IN THE AMOUNT OF \$1,227,658.40.**

**5 AYES**

### **CLAIMS**

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER SWEDBERG REQUESTING THAT THE CITY COUNCIL APPROVE CLAIMS FOR THE PERIOD APRIL 23, 2022 TO MAY 6, 2022 IN THE AMOUNT OF \$176,044.93.**

### **ADJOURNMENT**

**A MOTION WAS MADE BY COUNCIL MEMBER ZABEL, SECONDED BY COUNCIL MEMBER OLSON, TO ADJOURN THE REGULAR MEETING OF MAY 10, 2022 AT 7:56 PM.**

**5 AYES**



REGULAR MINUTES  
MAY 10, 2022  
PAGE NINE

Respectfully submitted,  
Kathy Laur  
City Clerk