



Shakopee City Council Minutes

March 21, 2017

7:00 PM

City Hall 129 Holmes St.

Mayor Bill Mars presiding

1. Roll Call

Present: Mayor William Mars, Councilmember Mike Luce, Councilmember Matt Lehman, Councilmember Jay Whiting, Councilmember Kathi Mocol

Staff Present: City Administrator Bill Reynolds, Assistant City Administrator Nate Burkett, City Attorney, Public Works Director Bruce Loney, Finance Director Darin Nelson, Police Chief Jeff Tate, Planning and Development Director Michael Kerski, Senior Planner Mark Noble, Senior Planner Kyle Sobota, Senior Planner Eric Weiss, Park and Recreation Director Jamie Polley

2. Pledge of Allegiance

3. Special Presentation - Officer Kegley

Police Chief Jeff Tate presented the Officer of the Year Award to Officer Kegley.

The Councilmembers all congratulated and thanked Officer Kegley.

4. Approval of Agenda

Councilmember Jay Whiting made a Motion to approve the Agenda, seconded by Councilmember Kathi Mocol and the motion Passed.

5 - 0

5. Consent Business - (All items listed in this section are anticipated to be routine. After a discussion by the Mayor there will be an opportunity for members of the Council to remove any items from the consent agenda for individual discussion. Those items removed will be considered following the Public hearing portion of the agenda. Items remaining on the Consent Agenda will not be discussed and will be approved in one motion.)

Councilmember Kathi Mocol made a Motion to approve the Consent Agenda as presented, seconded by Councilmember Mike Luce and the motion Passed.

5 - 0

A. Planning Department

A.1. *Set Public Hearing for Vacation of Public Road Easement

Motion to approve Resolution No. 7849, a resolution setting the public hearing date to consider the vacation of public roadway easement located north of CR 72, west of Marschall Road and south of Eaglewood Drive.

Motion carried under the Consent Agenda.

B. Police and Fire

B.1. *Resolution of Appreciation for Retiring Firefighter Denny Pauly

Motion to approve a Resolution of Appreciation for Retiring Firefighter Denny Pauly.

Motion carried under the Consent Agenda.

C. Public Works and Engineering

C.1. *Recycling Grant for Spring Clean Up Day

Motion to approve sub-grant program participation and funding.

Motion carried under the Consent Agenda.

C.2. *Park Restroom Cleaning Contract Renewal

Motion to Renew a cleaning contract with Treasure Enterprises, Inc.

Motion carried under the Consent Agenda.

C.3. *Sanitary Sewer Television Inspection

Motion to accept the low quote from American Environmental LLC of \$0.37 per foot for the 2017 sanitary sewer televising project.

Motion carried under the Consent Agenda.

C.4. *WSB Extension Agreement for CR 15 & CR 16 associated with Windemere

Motion to authorize the appropriate city officials to enter into an extension agreement with WSB & Associates, Inc. for the design of CSAH 16 and CSAH 15 improvements associated with Windermere Development.

Motion carried under the Consent Agenda.

C.5. *Purchase Light Duty Truck for Park Maintenance

Motion to approve purchase of 2017 Ford F-550 from Midway Ford Commercial for the price of \$33,071.00 and Box, Hoist and Accessories from Aspen Equipment for the price of \$21,768.00. Funding to be expended from the Capital Equipment Internal Service Fund.

Motion carried under the Consent Agenda.

D. Personnel

E. Parks and Recreation

E.1. *Outdoor Recreation Grant Program Application - Resolution 7846

Motion to approve Resolution No. 7846, A Resolution of the City of Shakopee, Minnesota Authorizing the City to submit an Outdoor Recreation Grant Application for Quarry Lake Park.

Motion carried under the Consent Agenda.

F. General Administration

F.1. *City Bill List

Motion to approve the bills and electronic funds transfers in the amount \$2,225,034.13, payroll transfers in the amount of \$507,958.40 for a total of \$2,732,992.53

Motion carried under the Consent Agenda.

F.2. *Comcast Television Fiber Equipment and Installation

Motion to approve quote for the purchase of required Comcast broadcast equipment, fiber installation to Comcast head-end, and all fiber terminations for \$30,109.

Motion carried under the Consent Agenda.

6. RECOGNITION OF INVOLVED CITIZENS BY CITY COUNCIL - Provides an opportunity for the public to address the Council on items which are not on the agenda. Comments should not be more than five minutes in length. The Mayor may adjust that

time limit based upon the number of persons seeking to comment. This comment period may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Council Members will not enter into a dialogue with citizens, and questions from Council will be for clarification only. This period will not be used to problem solve issues or to react to the comments made, but rather for informational purposes only.

There were no Citizens who wished to present.

7. Business removed from consent will be discussed at this time

8. Public Hearings

A. Vacation of Roadway/Right-of-way Easement – 12466 Marystown Road

Councilmember Matt Lehman made a Motion to open the Public Hearing, seconded by Councilmember Mike Luce and the motion Passed.

5 - 0

Mr. Noble addressed the Council regarding a Vacation of Roadway/Right-of-way Easement – 12466 Marystown Road.

Mr. Noble responded to questions from the Councilmembers.

Mayor Mars asked if there were any members of the Public who wished to speak, no one responded.

Councilmember Mike Luce made a Motion to close the Public Hearing, seconded by Councilmember Matt Lehman and the motion Passed.

5 - 0

Councilmember Jay Whiting made a Motion to approve Resolution No. 7848, a Resolution approving a vacation of roadway/right-of-way easement for property formerly known as 12466 Marystown Road, with conditions, and move its adoption, seconded by Councilmember Kathi Mocol and the motion Passed.

5 - 0

B. Vacation of Public Drainage & Utility Easement – Outlot A, Gateway South First Addition

Councilmember Kathi Mocol made a Motion to open the Public Hearing, seconded by Councilmember Mike Luce and the motion Passed.

5 - 0

Mr. Noble addressed the Council regarding a drainage & Utility Easement – Outlot A, Gateway South First Addition.

Mr. Noble responded to Councilmembers questions.

Mayor Mars asked if there were any members of the Public who wished to speak, no one responded.

Councilmember Mike Luce made a Motion to close the Public Hearing, seconded by Councilmember Matt Lehman and the motion Passed.

5 - 0

Councilmember Matt Lehman made a Motion to approve a vacation of Public Drainage & Utility Easement – Outlot A, Gateway South First Addition, seconded by Councilmember Jay Whiting and the motion Passed.

5 - 0

9. Recess for Economic Development Authority Meeting

10. Reconvene

11. General Business

A. Planning Department

A.1. Zoning Text Amendment Adding Schools as Conditional Use in B-1, Highway Business Zone

Mr. Sobota presented a zoning Text Amendment Adding Schools Licensed by the MN Department of Education Serving Students in Grades Kindergarten - 12th Grade as a listed Conditional Use in the B-1, Highway Business Zone.

Mr. Sobota responded to concerns and questions from the Councilmembers.

Councilmember Jay Whiting made a Motion to approve Ordinance No. 959, an ordinance adding schools licensed by the MN Department of Education serving students in grades Kindergarten - 12th Grade as a listed Conditional Use in the B-1, Highway Business Zone., seconded by Councilmember Mike Luce and the motion Passed.

5 - 0

A.2. Preliminary Plat and PUD of Ridge Creek

Mr. Noble presented a preliminary Plat and Planned Unit Development (PUD) of Ridge Creek to the City Council for discussion.

Mr. Noble responded to questions from the Councilmembers.

Dale Umpter, Duke Realty, addressed the Council to answer questions pertaining to this item.

Councilmember Mike Luce made a Motion to approve Resolution No. 7851, approving the Preliminary Plat and PUD of Ridge Creek, with conditions, and move its adoption., seconded by Councilmember Jay Whiting and the motion Passed.
5 - 0

A.3. Final Plat of Gateway South Second Addition

Mr. Sobota presented a Final Plat of Gateway South Second Addition to the City Council.

Mr. Sobota responded to questions from the Councilmembers.

Paul Tabone, Land Entitlement Manager at Lennar, addressed the council and responded to questions.

Councilmember Matt Lehman made a Motion to approve Resolution No. 7850, a resolution approving the Final Plat of Gateway South Second Addition, and move its adoption., seconded by Councilmember Mike Luce and the motion Passed.
5 - 0

A.4. PUD Concept Review of West Vierling Acres Apartments

Mr. Sobota presented a PUD Concept Review: West Vierling Acres Apartments for Amcon Construction and requested that the Council review the proposed concept and provide feedback for staff and the applicant.

Mr. Sobota responded to questions and concerns from the Councilmembers.

Phil Vogyt, a Representative for Hyvee, addressed the Council and responded to questions.

Dennis Cornelius, AMCON Construction, addressed the Council and responded to questions.

The Council provided direction to the applicant, and the applicant stated he was

comfortable enough with the feedback received to proceed with drafting plans, and submitting formal applications for review and Public hearings.

A.5. 2040 Comprehensive Plan Update

Mr. Weiss presented the 2040 Comprehensive Plan Update, and requested input on the proposed preliminary planning process.

Mr. Weiss responded to comments questions from the Councilmembers.

A.6. Resolution Authorizing Staff to Submit Application to Center for Prevention Funding Initiative

Mr. Weiss addressed the Council regarding a Resolution Authorizing Staff to Submit Application to Center for Prevention Funding Initiative. Mr. Weiss explained that, with Council's support, staff would like to proceed with the outlined planning process for the comprehensive plan.

Mr. Weiss responded to questions from the Councilmembers.

Councilmember Jay Whiting made a Motion to approve Resolution 7853, authorizing staff to apply for the Center for Prevention Funding Initiative., seconded by Councilmember Kathi Mocol and the motion Passed.

5 - 0

- B. Police and Fire
- C. Public Works and Engineering
- D. Personnel
- E. Parks and Recreation

E.1. Shakopee Youth Tennis Association Presentation

Ms. Polley addressed the City Council to ask them to consider a request as presented by the Shakopee Youth Tennis Association (STA) to keep Shutrop Park open for any and all possible developments.

Tom Arnfelt, President of the STA, gave a presentation regarding the Shakopee Youth Tennis Association (STA) and to request a 12 month extension for the STA continue their fundraising efforts for an indoor tennis facility.

Mr. Arnfelt responded to questions and comments from the Councilmembers.

Mr. Reynolds advised the City Council that the parcel of land in question has been the subject of internal discussions regarding the possibility of building a fire station on the land.

After much discussion a decision was made to grant a 12 month extension to the STA for Shutrop Park.

Councilmember Mike Luce made a Motion to approve the request, for a 12 month extension, as presented by the Shakopee Youth Tennis Association (STA) with the understanding that if it is discovered that the donations cannot be raised, the STA will inform the City, seconded by Councilmember Kathi Mocol and the motion Passed.

4 - 1

Nays: Mars

F. General Administration

F.1. 2017 City Council Liaison Appointments

Mayor Mars discussed the liaison appointment list for 2017. The Councilmembers expressed concerns over the number of meetings appointed to each liaison.

After discussion Mayor Mars determined that he would rework the list of appointments and present the updated list to the Councilmembers.

The Councilmembers also requested a list of dates of times for each meeting.

12. Liasion and Administration

The City Council members presented their liaison reports.

The City Administrator presented his administrators report.

13. Other Business

Cncl. Whiting requested that Staff begin discussions with the County on school crossing safety on County roads.

Cncl. Lehman requested that staff share email communications with questions and concerns with all members of the Council to maintain consistency. Mr. Reynolds replied that if there are issues that the body needs to be informed of, it is his responsibility to ensure that communication occurs. Cncl. Lehman agreed.

Cncl. Luce requested that the Council discuss a park land encroachment in the Kilarney

Hills area. He stated that he had concerns in regards to the length of time the resident had to correct the issue. Cncl. Whiting stated that he understood that the encroachment had been resolved. Mayor Mars stated that the owner was working on obtaining an easement for his neighbors driveway because the previous,easement was never recorded.

Mr. Reynolds informed the Council of the actions taken by the City regarding the encroachment. Cncl. Lehman stated that he would like more information on the issue from Jamie Polley. He also suggested installing signs around park land.

14. Closed Session

15. Adjournment

Councilmember Mike Luce made a motion to adjourn, seconded by Councilmember Matt Lehman and the motion passed.

5-0