

**COUNCIL CHAMBERS
1670 STIEGER LAKE LANE
VICTORIA, MINNESOTA**

MINUTES

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CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Funk called the regular City Council meeting to order at 6:51 p.m. due to the extension of the Workshop held prior to this meeting and led the Pledge of Allegiance.

Roll Call:

Members Present: Mayor Tom Funk; Council members Judy Black, Tom Gregory, Deb McMillan, and Tom Vogt

Absent: None

Staff Present: City Manager Dana Hardie, Senior Planner Paul Moretto, City Clerk Cindy Patnode, City Engineer Cara Geheren, Communications Manager Gwen Campbell and City Attorney Robert Vose.

Others Present: Planning Commissioners John Iverson and Scott Stensland.

There were approximately 25 people in attendance.

ANNOUNCEMENTS

1. September 9 – 5:30 Workshop to discuss yard waste and if time allows, policies. (*The previously scheduled Solar Gardens was postponed*).
2. September 9 – 6:30 Consider approval of the maximum tax budget and levy.
3. November 12 – 5:00 Workshop to discuss 2020 Budget
4. November 25 – 5:00 Workshop to discuss 2020 Budget
5. December 9 – 6:30 Consider approval of 2020 Budget
6. Recognize and thank the Victoria Garden Club for work at the Pavilion

OPEN FORUM

Mayor Funk inquired if anyone was present to speak to the Council in the Open Forum format.

The following people spoke regarding item 7C – County Roads 11/43/18 intersection:

Steve Wanninger, Victoria Drive, Victoria requested that the speed limit be enforced and would like a roundabout (Options 2 or 3) rather than stoplights.

Teresa Vogel, Victoria Drive, Victoria favored the four-way stop (Option 1) and concerned about all the land that has been taken from homeowners when Victoria Drive was upgraded in the past.

Jarrad Hammer, Victoria Drive, Victoria supports the single lane roundabout (Option 2) even though it would require the taking of his land/home but felt it was safer overall.

Jacob Servais, Victoria Drive, Victoria is opposed to a stop light and favors the single lane roundabout (Option 2)

Barb Wanninger, 8410 Victoria Drive, Victoria reiterated that enforcement of the speed would help alleviate the issues; savings from voting against upgrading Marsh Lake Road a County Road (*at the 7/22 Council meeting*) could help offset the cost of the single roundabout (Option 2); she felt that traffic signals would be the worst option.

ADOPT FINAL AGENDA

On a motion by Black, seconded by McMillan, to adopt the Agenda as submitted.
Motion carried unanimously.

CONSENT AGENDA

The consent items for consideration:

A. Minutes:

- a) Approval of 8/5/19 Special Council Meeting
- b) Approval of 8/12/19 Regular Council
- c) Approval of 8/12/19 Workshop
- d) Approval of 8/20/19 City Council and Planning Commission Workshop

B. Claims Roster, Check #'s 59983-60054; July ACH, and Payroll of 8/22/19 totaling \$610,123.01

C. Insurance and Benefit Consulting/Brokerage Services – Approve contract with Gallagher Benefit Services, Inc. for consulting and brokerage services for employee health and welfare benefits.

D. Information Technology (IT) Managed Services – Approve the Master Services Agreement and Orange Book Addenda with Atomic Data, LLC for Managed Information Technology Services and Discovery.

E. Mt. Olivet - Resolution 2019-49, *A Resolution approving modifications that change the conditions of the Conditional Use Permit to require a solid fence to replace the chain link fence from the beginning of the chain link fence near Rolling Acres Road to the second perpendicular chain link fence to the west and authorize issuance of an Occupancy Certificate when the condition is met.*

F. Well No. 2.5 – Approve Pay Request No. 7 for the Well 2.5 Project in the total amount of \$17,748.85 for Traut Companies.

On a motion by McMillan, seconded by Vogt, to approve the consent agenda items as submitted.

Funk: Aye, Black: Aye, Gregory: Aye, McMillan: Aye, Vogt: Aye

Motion carried unanimously.

REGULAR AGENDA

Moravian Church Electronic Sign

Senior Planner Moretto presented the staff report regarding the variance for the electronic changing sign at 7440 Victoria Drive.

Staff clarified the intent is to review and update the City Code to reflect the use of electronic signs.

On a motion by McMillan, seconded by Gregory, to approve Resolution 2019-50, *A Resolution approving a variance for an electronic messaging sign at 7440 Victoria Drive (County Road 11) with conditions as stated.*

Motion carried unanimously.

Stop Sign Request – Linden and Chestnut

Engineer Geheren presented the staff report regarding the Stop Sign request at Linden Lane and explained low compliance when traffic controls are installed when warrants are not met. The Engineer gave two options for Council consideration to make determination of Warrant C-1 and their definition as to the location of the school. Engineer Geheren recommends when warrants are not met, stop signs should not be installed due to low compliance rates.

On a motion by Gregory, seconded by Black, determined Warrant C is met and authorize installation of the requested stop signs.

Council discussion:

The possible deterrent of the usage of road due to a stop sign; determining the best use of sheriff's time on enforcing compliance at this stop sign; concern that stop signs are intended to assign right-of-way and not for speed control; design of roads can have traffic calming elements to them to help eliminate signage; use of solar radar to track speed.

Motion carried, McMillan opposed.

County Road 11/18/143 Intersection

Engineer Geheren informed the Council that this project is under jurisdiction of Carver County but interested in Council input on this intersection. Previously, the Victoria City Council stated this intersection was a safety concern and joined a Joint Powers Agreement (JPA) with Carver County to address those concerns within the scope of the project. Ms. Geheren noted that Carver County Public Works Superintendent Lyndon Robjent was in the audience to field any questions.

Josh Eckstein, representative from Bolton and Menk, Inc. presented the four options for Council consideration with the recommendation of Option 4.

Option 1 = All-way Stop sign

Option 2 = Single Lane Roundabout

Option 3 = Mini-roundabout

Option 4 = Traffic signal

Council discussed the input of the residents; verified the upgrade would be ADA compliant and screening may be warranted to offset the noise and lighting; verified that stop lights will be regulated for timing.

On a motion by Vogt, seconded by McMillan, to support Option 4, the Technical Advisory Committee Recommendation for a Traffic Signal at the Intersection of County Roads 11/18/43.

Council discussion:

Preference for roundabouts but would require omitting driveways (taking property); default to the traffic light; safety a priority; stoplight doesn't "fit" into the neighborhood but the best overall option; no good options; and screening enhancements.

On a motion by Funk, seconded by Gregory, to amend the motion to consider screening for residents to minimize the impact of the homes.

Carver County PW Director Lyndon Robjent stated that screening costs will be borne by the city; there are screening standards they have to abide by; the private owner would need to give the County permission to go on their property; and owners could hold the project up if no agreement was met.

Council consensus was to direct staff to work on an agreement/consensus with property owners to allow screening; no land would be condemned; and work within a timeframe so that it will not hold the project up.

Resident Jacob Servais reiterated his request for a roundabout.

Teresa Vogel voiced her concern with taking of land that occurred with the last upgrade of County Road 11 but had no problem with the stoplight option but inquired about repositioning the road.

It was noted that the footprint of the project is not increasing and they will work to keep the signals as close to the intersection as possible.

Motion carried (on the amendment). Black opposed.

Motion carried (on the initial motion). Black opposed.

Engineer Geheren requested direction regarding the pedestrian connections that could be incorporated into the project to minimize costs. The two suggested are: 1) from Green Crest Drive to the intersection and 2) the trail that runs along County Road 18 (on the east side of CR 11). These gaps have been identified as a priority by the Park & Recreation Committee. Another connection had too high of a financial impact to move forward at this time. Council consensus was to continue to have the engineer move forward with the concept for the two proposed trail connections. The overall trail gaps discussion will be at a future Council meeting.

2040 Comprehensive (Comp) Plan

HKGi Representative Brad Scheib discussed the 2040 Comprehensive Plan process to the Council. Mr. Scheib stated that Victoria had a very engaged Steering Committee that provided valuable input. The Metropolitan (Met) Council reviewed the 2040 Comp Plan and recommended technical modifications that didn't change the direction of the plan. HKGi incorporated those modifications and the 2040 Plan is now in its final format for Council consideration of adoption.

Mr. Scheib stated that as Comp Plans are being worked on, development within the city still occurs and amendments to the Plan may arise. As per State Statute, amendments are required to be reviewed by the Met Council.

Four specific amendments are noted for Council input, three are not application driven and one is, which relates to the Laketown 13th Addition. The change in zoning that occurred through the Planning Commission process from low density to medium density needs Council interpretation regarding alternative findings which would allow Laketown 13th to comply vs. requiring an amendment to the Comp Plan.

On a motion by Black, seconded by Vogt, to approve Resolution 2019-51, *A Resolution adopting the 2040 Victoria Comprehensive Plan Update, a compilation of policy statements, goals standards, and maps for guiding the overall development and redevelopment of the local governmental unit.*

Discussion was made regarding amending plans; the length of time it would take; and change in definitions. Motion carried unanimously.

Mr. Scheib recommended tabling the amendments that were originally proposed (Attorney Vose supported) to wait until there are a number of amendments prior to submittal.

On a motion by McMillan, seconded by Black, to table the two amendments. Motion carried unanimously.

Laketown 13th Preliminary and Final Plat – Rezoning

Engineer Geheren introduced Laketown Development, giving the history of Laketown platting which started in 2004. For Council consideration is rezoning land from Agriculture to Planned Unit Development (PUD) and adopt a Resolution approving the Preliminary and Final Plat for Laketown 13th. The preliminary plat includes 99 townhomes. Units are anticipated to be two-story, slab on grade with two car garages. Access will be from Laketown 12th and Timber Terrace. The final plat covers 28 units and will be phasing the implementation of future units.

The Planning Commission recommended approval of the proposed Ordinance with a 4 – 1 vote at their last meeting. There was discussion regarding berming and landscaping. The Planning Commission recommended a 6' high cedar fence along south property line due to the concern of residential use butting active farmland. There is a significant grade change on this property but Victoria historically has not required a fence for separation adjacent to farm land.

The next two items (Ordinance 443 ZC and Resolution 2019-52 had revisions from the original packet material and were handed out at the meeting for Council consideration. The votes are on those updated versions.

On a motion by Gregory, seconded by McMillan, to adopt Ordinance 443 ZC, AN ORDINANCE AMENDING SECTION 109 OF THE VICTORIA CITY CODE, THE CITY'S OFFICIAL ZONING ORDINANCE, BY REZONING ALL PROPERTY AT PID 653290390 FROM AG (AGRICULTURAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT)

Motion carried unanimously.

On a motion by Vogt, seconded by McMillan, to approve Resolution 2019-52, *A Resolution approving the Preliminary and Final Plat of Laketown 13th Addition.*

Council discussion:

It was clarified that (sewer) utilities could not be routed through the 13th to avoid running south to Marsh Lake Road through the Schmieg Property due to gravity. There was more discussion regarding the requirement of a cedar fence along the property line.

On a motion by Funk, seconded by Black, to modify the Final Plat to require Lennar to put a split rail fence across the entire length of southern edge of the property as recommended by the Planning Commission but not put in a cedar fence.

Council discussion: Concern of maintenance or drainage issues this could create; design of the split rail fence; preventing trespassing; allow for the plan Lennar proposed; possible visual impairment by adding fencing.

Motion carried. Vogt and McMillan voting nay

Attorney Vose requested (and Council concurred) that since the Council just approved new language into the Resolution before it was adopted, they allow staff the flexibility on placing that language into the Resolution.

Continued discussion on the Resolution 2019-52:

Concern with approving both Preliminary and Final at once; it was clarified that approving Preliminary and Final Plat include Outlots A, B, C & D and the first phase labeled "Inset A" as noted in Exhibit A of the draft Resolution; future phases will be brought back for Council approval; developer is following city code in regards to any tree removal; concern with dirt removal and house settling issues within another development; cognizant of elevation changes so as to not repeat nor create problems; and consensus by Council that the alternate findings for Laketown 13th comply with the Comp Plan.

Motion carried unanimously.

Highway 10 Corridor Study

Engineer Geheren indicated the Carver County project website has the best information and encouraged Council and interested residents to review it for the Highway 10 Corridor Study. The Study runs from County Road 43 in Victoria through Chaska. Initial meetings have started and the website has the background, goals and objectives, and updates. Public participation can be done through the interactive website.

The Small Area Plan, recently authorized by the City Council, will be within this Hwy 10 Study and the two projects will work together to bring cohesion to the final project.

ROUNDTABLE

Consider withdrawing the City of Victoria's participation in the GreenStep Program – Mayor Funk

Mayor Funk stated that the City joined this program in 2012 but felt that it transfers decisions to the Met Council. He'd prefer to keep local control and will bring this back in the future.

City Manager Hardie explained that it's a voluntary program that has five steps for a city to achieve. It involves initiatives in sustainability and the city decides to do only what is right for the community. Not every suggestion has to be implemented and the city can maintain local control if it chooses to.

REPORTS

City Manager Dana Hardie

City Manager Hardie stated the Arboretum Area Transportation Plan (*regarding Hwy 5 upgrades*) update is new and available on the website.

Mayor Funk


Mayor Funk gave information that the competition 10-mile bike trail construction will start in September with completion anticipated this Fall in the Three Rivers Park in Victoria.

ADJOURNMENT

On a motion by McMillan, seconded by Black, to adjourn at 9:19 p.m.

Motion carried unanimously.

ATTEST:


Cindy Patnode, City Clerk


Thomas C. Funk, Mayor