

**CHANHASSEN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 24, 2020**

Mayor Ryan called the meeting to order at 7:05 p.m. The meeting was opened with the Pledge to the Flag.

**COUNCIL MEMBERS PRESENT:** Mayor Ryan, Councilwoman Tjornhom, Councilman McDonald, Councilwoman Coleman, and Councilman Campion

**STAFF PRESENT:** Todd Gerhardt, Jake Foster, Charlie Howley, City Attorney James Monge, Chief Don Johnson and Lt. Lance Pearce

**PUBLIC PRESENT:**

Roger and Dorothy Downing  
Tom O'Brien

7200 Juniper Avenue, Excelsior  
449 Summerfield Drive

Mayor Ryan: Good evening everyone and welcome to our council meeting. To those of you that are watching at home or livestreaming from the Chanhassen website, thank you for joining us. For the record we have all of our members present tonight. Our first action is our agenda approval. Council members are there any modifications to the agenda as printed? If not we will proceed with the published agenda. No public announcements.

**PUBLIC ANNOUNCEMENTS:** None.

**CONSENT AGENDA:**

Mayor Ryan: Next we have the consent agenda. Tonight we have consent agenda items number 1 through 8. All items listed under the consent agenda are considered to be routine by the City Council and will be considered as a single motion based on staff recommendation. There'll be no separate discussion of these items. If discussion is desired by anyone on council or here in the chambers you may request to have that item removed or have it considered separately on our agenda this evening. Are there any items that the council would like to consider separately? Councilman McDonald.

Councilman McDonald: I have a question. I received an email before I came to council where a consent item was added. Is that included in here or is there actually 9?

Todd Gerhardt: There is 9 Mayor.

Mayor Ryan: No it was initially 1 through 7. I think number 8 is the.

Chanhasen City Council – February 24, 2020

Councilman McDonald: Okay so it has been added?

Mayor Ryan: Yes, it was added.

Councilman McDonald: I just wanted clarification.

Mayor Ryan: Yes, yes so the last, it initially was 1 through 7 and the last add for the 101 is number 8 so with that said is there any items that the council would like to consider separately?

Todd Gerhardt: Mayor would you like to give me an opportunity just to give a quick summary of item 8. What that is is that it allows the contractor to have access to the Riley-Purgatory-Bluff Creek Watershed District parcel for some clear cutting of trees and our attorney wanted City Council's full action on that item. So to stay on schedule we wanted to do it now versus 2 weeks from now.

Mayor Ryan: Okay, thank you for the clarification. Is there a motion to approve consent agenda items number 1 through 8?

Councilwoman Tjornhom: So moved.

Mayor Ryan: Is there a second?

Councilman McDonald: Second.

**Councilwoman Tjornhom moved, Councilman McDonald seconded that the City Council approve the following consent agenda items pursuant to the City Manager's recommendations:**

1. Approve City Council Minutes dated February 10, 2020
2. Receive Planning Commission Minutes dated February 4, 2020
3. Accepting the Public Trail and Utility Improvements in Beehive Homes Project No. 2012-09
4. Highway 101 Occupancy Agreement with Halama
5. Approve 2020 Key Financial Strategies and Legislative Priorities
6. Approve Consultant Contract Amendments for the Highway 101 Improvements (Pioneer Trail to Flying Cloud Drive)

7. **Resolution #2020-11:** Accept Bids and Award Contract for Pleasant View Road Channel Improvements Project
8. Right of Entry Agreement for the Highway 101 RPBCWD Parcel

**All voted in favor and the motion carried unanimously with a vote of 5 to 0.**

**VISITOR PRESENTATIONS.** None.

**FIRE DEPARTMENT/LAW ENFORCEMENT UPDATE.**

Mayor Ryan: First up we have the fire department and law enforcement update. Chief.

Chief Don Johnson: Good evening Mayor and council. The fire department update for the month of February. Staffing remains steady at 42 of 45 firefighters. We did conduct interviews with 4 candidates for this next year's hiring process. When I authored this report we had made one conditional offer. Since then we've made a second so happy report we have 2 additional firefighters coming on and they'll not need any academy this year which will help out, help our numbers right away. They're already coming trained so. In January we responded to 80 calls for service. One chief only call. 19 day only calls. 28 duty crew calls and 32 general alarms. 52 of those were rescue EMS calls that include 11 motor vehicle accidents. We responded to 3 fires. One being mutual aid to assist in Eden Prairie a cooking fire and one car fire on Highway 5 and Galpin. Other activities that took place we've got, we assisted with Feb Fest. Assisted several Minnesota Chief's activities related to the conference and administrative budgets. It's one of the things that I give my time to and returning that back to the State Chief's. We attended an emergency manager's meeting with Carver County Public Health to discuss the coronavirus on February 6<sup>th</sup>. Lieutenant Pearce and I conducted a table top exercise with Westwood staff on February 8<sup>th</sup> and this drill is a continuing part of our main functional exercise which we're going to be handling in May. And we also assisted Victoria with a fire ground command training on February 10<sup>th</sup>. The Fire Marshal's activities for the month of January, Life Time Corporate II had taken quite a bit of the Fire Marshal's time up as we got that building set and open so I think we're done with the Certificate of Occupancy. The new buildings off of Galpin are also in substantial completion and there's quite a bit of testing going on in there and those buildings with inspections and Don assisted the Bernard Group with another round of CPR and AED and choking class training for their employees, as well as a Summerwood tenants meetings so just some stuff that we're doing in the community outside of responding to calls and that's all I have for my update.

Mayor Ryan: Council any questions for the Chief? I'll have one. What was the conversation around the coronavirus?

Chief Don Johnson: Well in regards to having Ridgeview there, Carver County Public Health, a lot of information from the CDC is kind of all systems are just kind of normal right now. The

regular flu affects us seasonally every year so there hasn't been any real changes. Since that meeting I believe was February 8<sup>th</sup> they did come out with some changes for dispatch now so anybody that calls in with flu like systems they'll ask them about travel and then relay that information to responders so our normal protocols are just to kind of try to do patient assessment from a little ways away and if we need to put on masks. Just regular surgical masks but we haven't really seen any difficult issues with flu or any coronavirus here yet for us so we'll keep, I'll keep the City and the Council up on what's coming from the CDC as we get it in from Carver County.

Mayor Ryan: Great, thank you. Appreciate it. Lieutenant. Sergeant, welcome. Thank you.

Sergeant Tyler Stahn: Good evening everybody. Not the Lieutenant. Sergeant Tyler Stahn for those who don't know me and I'll be providing the January sheriff's office update. First I'd like to state that there were 829 total calls that the sheriff's office, total activity within the city of Chanhasen for the month of January. Our Group A crimes, the predominant calls for service were felony thefts. With regard to the breakdown of those calls for services, just under half of all the calls for services included traffic stops. Of the non-criminal calls those were predominantly alarms, medicals, animal calls and suspicious activity. And with regards to our training update, as of tomorrow all of our staff will have undergone our current medical training put on by Ridgeview Medical Center. All of our staff has also completed emergency vehicle operation training. With regards to community relations update, just this last Saturday we conducted a Coffee with a Cop at Caribou Coffee here in Chanhasen. Councilwoman Julia Coleman was also present at that and then earlier in January I did a presentation at the Chaska High School for a teacher there who I know talking to the kids about just in general what it's like to be in law enforcement. And with the rest our staffing update. We currently have 2 people who are out on work related injuries, however we have been able to manage our staffing in this situation. And that is it for the sheriff's office update. Are there any questions that you have?

Mayor Ryan: Council any questions? No, thank you Sergeant.

### **LAW ENFORCEMENT ANNUAL REVIEW.**

Mayor Ryan: Next we have our annual law enforcement review.

Lt. Lance Pearce: Madam Mayor, council, I'm going to go through the sheriff's office 3 year annual review. I did a 3 year versus a 5 year which Lieutenant Kittelson did last year because we switched over from MNSIS and NBRS in mid-2016 so this gives us a 3 year breakdown of so we can compare the same information. So the first slide I have on here is our total criminal offenses and you can see in 2017 we had 737 crimes and in 2019 we're down to 692. It's a reduction of 6 percent and so I did some research and nationally and as reflected in the city of Chanhasen and the county as a whole crimes are down. According to the FBI I did look to 2017 to 2018 and nationally violent crimes are down 3.9 percent and property crimes are down 6.9 percent so it's pretty reflective in the city as well. For medical for 2017 we had 1,004. We're down to 931 for

a reduction of 7 percent. So I looked at how much time we're actually spending on these medicals and it's pretty consistent, about 35-37 minutes a piece so it's pretty consistent from what we've seen in the past. Mental health, mental health calls are down from 223 in 2017 to 120 so my guess on this is we're doing a much better job of getting the people the resources that they need on the front end so we're not getting the repeated calls to law enforcement. I know our crisis is doing a better job of reaching out both on the phone and in person when we call them for help so that's the reason I think that that's quite a bit of reduction from 223 to 120. So I looked at mental health and how much time we're actually spending on that and you can see in 2017 we had, we spent 94 minutes on mental health and we're up to 117 so an increased amount of time we're spending on each call and that's a direct result of not only our POST board which is our licensing board. It's peace officer's standard training board is requiring all law enforcement to have some sort of a crisis intervention training and in addition to that our agency requires all of our new deputies that are on probation to go through a 40 hour class so all of it equating to more time we're spending with these people in the hopes that we don't get repeated calls. I'll just read off the continuing education requirement for the POST board which I think is important for the council to understand. So every year all licensed peace officers are required to be trained in use of force and we're also required to go through the emergency vehicle operation course every 5 years which all of our agency just went through that in the past month. In addition beginning in 2018 the POST board's requiring every law enforcement officer to have 16 hours of additional training in crisis intervention and mental illness crisis, conflict management and mediation and also recognizing and valuing community diversity to include implicit bias. So we're required to do 48 hours of training every 3 years which is our licensing period. Before I move on is there any questions from council on the requirements at all? Okay. So the burglary and robberies. Fortunately for robberies we don't have very many. We had one in 2017, three in 2018 and one in 2019 so because it's such a low number there's really not a comparison for that. For burglaries we're significantly down. We went from 38 in 2017 to 15 so I think that's a huge number that we've decreased.

Todd Gerhardt: Lance can you give the difference between the two again just for the public?

Lt. Lance Pearce: Sure. Burglary would be a property crime so if somebody broke into your house and stole your property out of there that would be a burglary. Robbery is a person crime so if they assaulted you and took your purse, your wallet, whatever that, that's a person crime so it'd be a robbery. Thank you for the question. Theft and vehicle theft. We are down significantly for total thefts from 188 in 2017 to 143 and then the vehicle thefts again are such low number it's pretty difficult to measure and we only had 4 last year. As it relates to total assaults and sex crimes, the total assaults remaining pretty consistent. We had 46 in 2017 and we had 43 last year. The sex crimes are up from 4 to 12 and I think that's a result of some organizations, the #NotMe, mandatory reporting where people are divulging this information and then we get mandatory reporters that call us to investigate that. Doesn't matter how long ago it occurred, last week, a decade ago, they're still required to report so we're getting those calls and I think that's the reason those are increased a little bit.

Mayor Ryan: Lieutenant that was one of my questions that I had. So you're saying that you attribute some of the increase to sexual assaults that have happened years ago that now they're coming forward or they were actually committed crimes in the last year because when you, if you wouldn't mind going back a slide. You know I mean to 2017 it was low but in '18 and '19 that's a significant increase so.

Lt. Lance Pearce: Yes from the most part those are all crimes that had occurred previously and just being reported in 2018 and '19. Most of these are not, they occurred last week or they occurred in the recent past.

Mayor Ryan: Okay so, okay. So they weren't in '18 or '19?

Lt. Lance Pearce: Some of them were but the majority of them were not.

Mayor Ryan: Okay. And then when you, you get this information who do you pass the information along to or is it just held within your department or?

Lt. Lance Pearce: They're investigated by our investigative division yes.

Mayor Ryan: Okay.

Lt. Lance Pearce: And sometimes they're divulged in our social services environment but they're required to notify us and then we, I'm not sure what the term is but we co-investigate those because sometimes they're social services component to the investigation when it involves children specifically and sometimes it's just a law enforcement.

Mayor Ryan: Okay and so this dip doesn't differentiate between child and adult?

Lt. Lance Pearce: This does not no.

Mayor Ryan: Okay.

Lt. Lance Pearce: This is a collective number.

Mayor Ryan: Thank you.

Todd Gerhardt: This is mandatory so there is a report that is submitted to law enforcement to go and check and see if they're complying with the orders of the court.

Lt. Lance Pearce: No. This would be if somebody, if somebody reported to somebody from social services for example. If we take a teenage kid and they reported that they were sexually assaulted 10 years ago the social worker's required by law to notify law enforcement and then we would investigate how long ago it was because there is statutes of limitation stuff but there's

also a social services component when it comes into the safety of the children. The safety of the home.

Todd Gerhardt: So these are all new cases?

Lt. Lance Pearce: That are reported on here yes.

Todd Gerhardt: Okay.

Lt. Lance Pearce: But the number for example when it says 2019 up there and it says 12, that means in 2019 12 were reported.

Todd Gerhardt: Right.

Lt. Lance Pearce: Okay. That doesn't mean that's when they occurred. That's just when they were reported. I think that answers your question Mayor.

Mayor Ryan: It does yes, thank you.

Lt. Lance Pearce: Okay. For DUI and drug crimes the total DUI's are down from 73 to 59 and the total drug crimes are up from 97 to 125. I don't think we have an increased drug problem in our city. I think we have a couple of deputies who focused on that a lot and I appreciate their efforts but it does reflect in the increased number on here.

Mayor Ryan: Lieutenant I'll also jump here because this was another number that jumped off the screen to me when I was reading it.

Lt. Lance Pearce: I knew it would.

Mayor Ryan: Because at face value it is very concerning to think that there was such a significant increase. How does the Southwest Task Force, Drug Task Force play into this? Is it because they're being more proactive that there you know, catching more or is that totally separate from this report?

Lt. Lance Pearce: It's intertwined with this report.

Mayor Ryan: Okay.

Lt. Lance Pearce: So what happens is this, what's reflected on here is everything from a citation for a possession of marijuana all the way up to methamphetamine. This is a collective number. I didn't do a breakdown in this but I know just from watching what comes in the majorities are just a, your low level possession of marijuana ticket. It's not a lot of the harder drug crimes. What happens is when we get the reports, if it's going to be investigated on a larger scale,

somebody is dealing drugs, that kind of stuff, those reports go from our office to the task force and then the task force takes over the larger investigations.

Mayor Ryan: And where they, I mean I found it interesting with you know some of the crime statistics going down yet you know the overall robbery and theft that sometimes is associated with an increase of drug crimes, did you notice any correlation or do you not make those comparisons as part of this report?

Lt. Lance Pearce: I did not make those correlations as part of this report.

Mayor Ryan: Okay.

Todd Gerhardt: Mayor but, some of this also occurs with traffic stops. Some of the officers will take it upon themselves also to check the vehicle for other things.

Lt. Lance Pearce: Yes.

Todd Gerhardt: When they have the opportunity where typically you're pulled over for speeding. You get a speeding ticket. Some officers will you know search the car for other items that...

Lt. Lance Pearce: Yep when we have the authority to do that, yes and I think that's where a lot of the increase in here is coming from.

Mayor Ryan: It's still a concerning number so. I'm wondering if we can get some sort of a follow up report from the drug task force, just if they're seeing an increase. I know when, I know her first name and I don't want to call her by her first name.

Lt. Lance Pearce: I know her too. I can certainly inquire from the task force and get a report for Chanhassen.

Mayor Ryan: Okay I'd appreciate it. I think you know to have a 22 percent increase with drug crime in the city where we're seeing that most of crime is going down but you see something like this, I think a little further explanation would be helpful.

Lt. Lance Pearce: I can certainly have that for here, yep. I can inquire for you.

Mayor Ryan: Oh I'm sorry yes go ahead.

Councilwoman Tjornhom: Something to add to that. I think too what would be a good, key part of this is to know if they are Chanhassen residents or if they are just crimes that were committed in Chanhassen where it was someone that pulled someone over. A deputy pulled someone over and they were able to search their car and they found paraphernalia or they found that you know

they were about to make a deal somewhere, that type of scenario because I think that too would influence these numbers correct?

Lt. Lance Pearce: Okay, sure.

Councilwoman Tjornhom: Because if someone's driving on Highway 5, they get pulled over they could very easily live in I don't know Minneapolis, anywhere but still they were arrested, stopped and arrested in Chanhasen so it's part of our statistics.

Lt. Lance Pearce: Correct. Okay. I can certainly get that for council.

Mayor Ryan: Alright perfect, thank you. Anything else? Okay.

Lt. Lance Pearce: Okay for the domestics, domestic assaults were up a little bit from 24 to 32. I don't have an explanation for that other than it just reporting to us. I honestly don't have an explanation for the increase.

Mayor Ryan: Okay, but that would be actual numbers of domestic assaults that take place in this year. This isn't reporting afterwards like the sex crimes.

Lt. Lance Pearce: Ask the question again?

Mayor Ryan: Like the sex crimes that were reported, these are actual domestic.

Lt. Lance Pearce: Reported in 2019 yes. Yes.

Mayor Ryan: That occurred in?

Lt. Lance Pearce: Yes. This is not reflective of the arrest though. This is the reports.

Mayor Ryan: Okay.

Lt. Lance Pearce: Okay so for arrests and citations, total arrests from 416 to 432. I think that's reflected in the drug slide I had a couple slides ago. Citations are down significantly from 2017 to 2019. Upon looking at the data that's a direct result of the winter parking citations. And we also had some issues with the State as it relates to license plate issuance and license tabs, if anybody was even got their own personal tabs and had an issue with the State so we had some issues with that when officers in the past would make traffic stops for license plate violations, that kind of stuff we kind of held off because we knew there was an issue with the State for 6 or more months. I think the County even had tab issues with the State. Okay so here's our misdemeanor investigator. So we looked at the number of cases that he closed out and the number that he cleared. In 2017 we had 119 with a clearance rate of 50 percent. In 2019 we had a few less cases assigned to him but we also had a larger percent of increase of clearance.

Mayor Ryan: Do you want to explain the difference between closed and cleared?

Lt. Lance Pearce: Clear would be if we made an arrest, we cleared it as unfounded for example. Anything other than an arrest. There's like 5 different clearance codes but if it's an arrest it will show as that. If it's just cleared out either we can't do anything else with it. It wasn't a crime so if it's anything other than cleared.

Mayor Ryan: Great, thank you.

Lt. Lance Pearce: Without a lengthy explanation. Okay so total activity. So anything that generates an incident crime report, it's called an ICR, this is where we're at for police activity. So it's collectively. Anything that we find on our own. Anything that somebody calls 911 or calls our non-emergency number gets an incident crime report okay. So total numbers for 2017 we had 12,657 and in 2019 we had 11,046 so we're down about 13 percent. So we looked at the number of arrests and report calls and the number of arrests are up a little bit. Again I think that's the drug related slide and the number of reports are actually down so anything we clear where we write a police report which we don't write a report on every call for service. We do on all crimes. Anything that might be significant as far as, we find a suspicious person that might be related to somebody. We might write a report on that. Anything that generates a report is reflected in here and we're down from 1,438 to 1,332 from '17 to '19. So we also looked at the monthly arrests and report incidents and in 2017 we had 137. We're down a little bit to 131. I think those are intertwined with the last two slides. So I compared our neighbor Chaska to see where we're at because we share a border with them. We also have similar populations, size and demographics and so comparably from 2017 to '19 I think we're seeing the same pattern in Chaska as well and in 2017 again we had 12,657 calls and we're down to 11,046 and the city of Chaska had 13,207 and they're down to 12,908. I looked at populations because I said they're pretty similar within 1,000 people as far as comparably. This slide just shows what I just explained. So I looked at their police department to see where we're at in Chanhasen and in Chaska police department they have 25 officers total and besides patrol they have 3 sergeants and 12 patrol officers. Compared to Chanhasen we have 15 officers assigned to the city of Chanhasen and we have 3 sergeants and 9 patrol. On this slide here I looked at our history to see where we are with a total of number of contract personnel and went back all the way to 2010 and from 2010 to today we have remained the same as far as the number of people that are contracted up here at 15. We made some administrative changes. In 2012, actually 2011 or 2013 where we made some sergeants, or I'm sorry. Some corporals into sergeants so we had some direct supervision up here where before we only had one sergeant up here and that was assigned to everybody for supervision. So the last two people added to the police contract was our misdemeanor investigator in 2007 and the school resource officer in 2009 when the Chanhasen High School opened. So I looked at the KFS cities and the police operating budgets just to see a comparative here and you can see on the slide where Chanhasen's at. We had a police contract in 2019 was \$1., a little over \$1.9 million for 15 sworn officers. Council have any questions on that at all?

Mayor Ryan: Well I'll ask the obvious question because I think it jumps off the page. You know we're similar in size yet we have a significant you know difference between how many sworn officers we have with some of our comparative cities and obviously it's been a decision by council because we have felt that we've been appropriately staffed to handle what's happening in our city. I know there has been a request for next year to have an additional officer but you know going from 15 to 16 still doesn't get you up to 25 and so from your perspective I'd just like to hear what you have to say in terms of where we're at with staffing and handling, you know obviously you show a report that reflects that crime continues to go down with the exception of a couple items and so I just want, you know I think it's important for us as council to hear your perspective on our staffing level but I also think it's important for residents to feel comfortable that they are being you know adequately served by the contract that we have with the sheriff's office.

Lt. Lance Pearce: Sure. You know I think that we're a little under staffed in Chanhasen. We did a work load analysis last year, Commander Owleen completed that and I know that was submitted to the City. We have enough staff right now to answer the calls for service but that's what we have. Enough to answer the calls for service. I know that I can get to the next slide here. This is the policing work plan that I work with the City Manager on and the focus for the sheriff's office and the City has to do a lot with the community engagement and I would like to continue doing that because I think, the more community engagement you do the more presence we have the less opportunity there is for crime and the more police presence has a direct impact on things like theft from vehicles, burglaries. I mean there's been research that's been done on that and I think that with the community engagement piece in order for us to progress in that we need more staff because I typically have two deputies on per shift and if I end up with 2 or 3 calls for service I can't guarantee I can have staff attend community engagement events without staffing it with overtime and then I'm not being a, being good with the overtime money that is budgeted. And I would like to continue with that because the current crime stats are low right now but we all know that's not going to stay like that forever. The economy's good and I think that has a little bit to do with why our crime stats are down and I would not, I would hate to be under staffed for when it does go back up. So in order to increase the amount of community engagement that I think the council wants, that the sheriff's office wants, I think we need a little bit more staff in Chanhasen.

Mayor Ryan: And when you say community engagement do you mean like Coffee's? Going into schools? More of a presence of driving around?

Lt. Lance Pearce: I think it's all inclusive mayor.

Mayor Ryan: Okay.

Lt. Lance Pearce: I think it's all inclusive with all of that stuff. It also allows us to have some built in shift relief for when people call in sick, that kind of stuff so we're not filling in shifts

with overtime all the time which has a direct impact on the City's budget. For example when we get requests for, and this actually happened a few months ago. When Act on Alzheimers group wanted a deputy to come down and be present at their event. We made it about a half an hour and the deputy had to leave so I can't guarantee we can get deputies to the events that the City is hosting. And I'd like to be able to do that. Plus it's that presence. I was just reading an article on Friday, certainly not even remotely comparable to our size of our city or our state but the City of Everett, Washington. They have a little different dynamic there but they have a little over 200 officers and the title on the end, the article is crime is down but Everett hopes to hire 24 more officers and it has to do with a number of factors but what the article says is, their citizens want more visibility even though crime is low and it also focuses in here that crimes are getting more complex and they're also taking longer to clear meaning the, when I first started, a long time ago, if you had a theft call for example it was somebody in the next town that took your stuff or whatever. Those aren't happening anymore. It's somebody over the internet stole something and it turns out it's in the next county and the next state and we have to take the time to try to figure that part out, especially with the technology piece. We're putting more time and effort on the backs of the patrol staff to do that which I can't measure in the presentation that I gave you. And I'll just give you an example and, I'm not the technology guy. I'll just preface it with that but there is a technology component to almost every crime we investigate right now. It's either on some social media platform of some sort. Some app, some something and if somebody steals your stuff and they put it on Facebook or Snapchat or something like that, there's a time limit where we can get the information so if somebody puts it on Snapchat I have a limited window to try to grab that information from the vendor so that has to do, and goes right back to the investigating deputy which just means more time that they have to take to complete all these reports which is less time to do the community engagement part. Or the presence part or you know some of the other proactive events like Coffee with a Cop and all that other stuff that we could be doing. Does it make sense?

Mayor Ryan: It does. Thank you.

Lt. Lance Pearce: Okay.

Mayor Ryan: Council any questions? Go ahead Mr. Gerhardt.

Todd Gerhardt: Lance I just want, I just want to make reference that you showed the number of officers that are patrolmen and sergeants that patrol Chanhassen.

Lt. Lance Pearce: Yes.

Todd Gerhardt: And our contract also includes in there dollars associated for the sheriff, deputy sheriff. I think there's also money in there for dispatch and jailer in that \$100 and whatever thousand dollars per officer. So there's an administrative fee associated with each of those officer contracts.

Lt. Lance Pearce: I'd have to see it, I don't recall that being in there but I'd have to look at the contract.

Todd Gerhardt: Yeah that's the way it was explained to me because a lot of the officers say boy I wish I could get paid that much and.

Lt. Lance Pearce: We all do.

Todd Gerhardt: Yeah and, because that was a part of the formula that they used to calculate the per officer because certain cities felt as though they were subsidizing Chanhasen's police service than other communities so a portion of those, not all of them, just a portion, 10 percent or whatever it may be but 3 to 4 total is kind of how I did the math of the administrative side where I think Chaska has 10 so I just wanted to preface that but we still have a difference if you're looking from a patrol sergeant comparison of Chaska, a total of 15 in Chaska and 12 in Chanhasen.

Lt. Lance Pearce: Correct, yep so in this slide, if we back up a few slides here their calls for service in the city of Chaska, let's just say it's 13,000 and we have 11,000 in Chan, they've got if we just do a direct comparison on this slide they've got 3 more patrol officers to answer essentially within 1,000 calls for service difference.

Todd Gerhardt: Right. And your 15 officers under the Carver County how did you come up with that number?

Lt. Lance Pearce: The 15? That is the total that the City contract. That includes my position, the 3 sergeants, the school resource officer and misdemeanor investigator and 9 patrol deputies.

Todd Gerhardt: And the 25 in Chaska includes the Chief.

Lt. Lance Pearce: Yes.

Todd Gerhardt: That's their total compliment and I'm saying of the 15 officers that we have we pay roughly \$110,000 per officer.

Lt. Lance Pearce: Roughly.

Todd Gerhardt: But they don't get all paid \$110,000.

Lt. Lance Pearce: No they wish they did though.

Todd Gerhardt: Yep, and so included in that \$110,000 is part of the sheriff, the deputy sheriff and the other services so.

Lt. Lance Pearce: Yes.

Todd Gerhardt: Just so you have a full understanding of how the contract plays out and, but I do support that this is something we need to look at as a part of our vision and our goals into the future of you know when we add officers and just because the crime stats in some areas show the numbers going down, we don't want to be reactive of when the numbers go up and the more I call it kind of community policing when the officers have down time where they're showing more of a presence in neighborhoods or at our businesses or at our churches or at our non-profit organizations, that we're getting people to think about being preventive in crimes. It's something I always bring up about, to my neighbors. Make sure your garage door's down because crime of opportunity is probably the biggest thing we have going on in Chanhassen because it's easy for somebody to drive by and see a garage door open and grab that little snowblower and throw it in the back of their truck and they're gone in 2 minutes so, so it's those crimes of opportunities and the more officers we have the better off we might be able to catch those or talk about prevention. That's it.

Mayor Ryan: Thank you.

Lt. Lance Pearce: Any other questions from council?

Mayor Ryan: I don't think so. Thank you for the report tonight Lieutenant.

Lt. Lance Pearce: Thank you.

Mayor Ryan: And then if you'll just get, can send it to Todd and then he'll forward or send it to council some of the follow up questions that would be great.

Lt. Lance Pearce: Very good.

Mayor Ryan: Great thank you. Next we have two public hearings.

**PUBLIC HEARING: APPROVE VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY: HICKORY ROAD (FORMERLY KNOWN AS KIRKHAM ROAD) ABUTTING 3734 HICKORY ROAD.**

Mayor Ryan: The first public hearing is the approval of vacation of a portion of public right-of-way Hickory Road. You taking that?

Charlie Howley: Madam Mayor, yes. I'll be presenting. I presume I'll do my little introduction and then you'll open the public hearing.

Mayor Ryan: Yes please.

Charlie Howley: It will go that way, okay very good. I have a power point prepared here. I'll give credit to Erick, our Project Engineer. He prepared the staff report and I'm presenting it. The property owner at 3734 Hickory Road has request the City vacate an unimproved right-of-way that goes back to the original platted right-of-way from quite some time ago. Here is a aerial of the area in question so this is on Lake Minnewashta and the area highlighted in yellow is the existing public right-of-way that's being requested to be vacated. This is the original plat dated 1913, it's called Red Cedar Point and it was made up of a number of small little lots and a bunch of roads bisecting the property. Here's a blow up of the area in question. The 30 foot highlighted yellow is the requested vacation. This slide is meant to show that over time, I don't know the dates of when these happened but the items in green outline shaded yellow were previous vacations, very similar in nature to this so the old roadway which was never built going north and south has over time been vacated and vacated and vacated so this I just another step in that process. Not that this was planned by the City. These were all based on requests by landowners, or at least I presume that they would have been. So here's a current survey of the property and one of the things I want to point out is this dashed line here. If you can think of this rectangle, this rectangle and that rectangle coincide with this rectangle, this rectangle and this rectangle. Hopefully that's clear. At some point in time, and we don't have the history of this but these two lots were somehow joined administratively. Not through a platting process presumable when this house was originally constructed so this is one lot next to the original right-of-way. The other point of this map is to show in green our existing sanitary sewer line and in blue our existing watermain. Public utilities. These are not just services to houses. These are mains. And this existing driveway to the property to the west, so when we go back here this driveway kind of cuts through here. You can see the house was under construction at the time of this aerial. So what's in front of us is adopting a resolution with it's conditions as noted in the staff report to approve the vacation of a portion of the public right-of-way dedicated as follows, and I don't know that I need to read this but this is the formal legal description of what would be vacated should you approve this. Now I will say that as noted in the staff report that once this is vacated we still maintain, and that's what's written in the conditions a line, that would be a dashed line where this red line is, we would maintain a drainage and utility easement over that exact same right-of-way. So for the purposes of the City and owning and maintaining our utilities in there, we still have that right to go in there. It just isn't our land anymore. It actually goes to this property owner as part of their land and they are just encumbered by an easement at that point. The obvious question would be well why are we doing this and as noted in the staff report this is being requested by the landowner. Property owner and I believe the reason is because currently this being their western property line they have a setback, building structure setback on a street which is like 30 feet so if they wanted to do an addition to this house or build a new house or what have you they're, they can't use that area. By vacating this right-of-way and this just becoming easement this becomes a side yard setback way over here and the building setback is only 10 feet. They still couldn't build a structure within the easement over the utilities but I think it gives them the ability to construct structures clear out to here rather than into there so I presume that's the genesis here and if the applicant's here tonight I have no idea if they are or not they can maybe say why they're doing it. From the other portions of the city is this access

down to the lake certainly isn't needed for public benefit anymore. We're not presumably ever needing another lake access. I think we already have two public access to this lake as I'm told. We really don't have a need for it so like the other ones that have been vacated the City has been okay with the vacation and the recommendation in the staff report is to allow it.

Mayor Ryan: Great.

Charlie Howley: So that kind of, there may be a question on a dock size or location and I did look up the ordinance so I think I'm prepared to answer that if we need to.

Todd Gerhardt: Do you want to go ahead and.

Mayor Ryan: That was my next question Mr. Howley so.

Charlie Howley: Alright, so just before the meeting.

Todd Gerhardt: The Mayor would want to know that before.

Mayor Ryan: I received a phone call about that that there was a concern.

Charlie Howley: Very good.

Mayor Ryan: About the, I think you answered the question in terms of the structure that now yes they would possibly be able to add onto it but obviously that goes through another process but the concern was about adding a dock to this property.

Charlie Howley: So in a mad rush I went and looked up our zoning, our code and under the zoning so I'm a little out of my lane but I think this is pretty straight forward. Section 20-920, structures, boats, waterways, it talks about docks and in there it talks about the size of a dock and location of a dock but I think we're wondering about size. No more than one dock shall be permitted on any lot so this becomes one lot. It doesn't, this parcel doesn't become a separate lot and it has a maximum length of 50 feet or the distance it needs to get out to 4 feet of water. I think based on the aerial looking at the other docks right next door it would all be in line with those so I think it's a 50 foot maximum. It's not like okay this property owner's going to get 34 width, 30 more feet of width. That doesn't mean they get a bigger dock in length and in width the width is calculated as part of the length so you're at a maximum of 25 foot wide but then that shortens off your 50 so I think the answer is, I'm fairly confident that no you can't have a bigger dock if you have a bigger lot.

Mayor Ryan: Okay. And I think it was just now could they have an additional dock and maybe they're here. I'm not sure. I just received a phone call this afternoon about the additional dock so.

Charlie Howley: They would not get an additional dock.

Mayor Ryan: Okay.

Charlie Howley: And one of the other items I would rather just get out in front of is there might be some questions about drainage and we know that the west end of Hickory has some existing drainage problems. It doesn't threaten property or you know personal safety. It's just a very, very narrow, narrow road. It's always had drainage problems and could there be a project in the future to kind of correct that drainage? Potentially. It may be too small to do on a project on it's own but when we have a number of projects that kind of build up we go and comprehensively do a drainage improvement and this potentially could be part of that but we don't have any planned improvements for this right-of-way or Hickory Road in the CIP but we are aware of the drainage and it's something on our radar for lack of a better word.

Mayor Ryan: Alright thank you Mr. Howley. Before I open up the public hearing council are there any further questions? Alright with that I open the public hearing. Please step forward and state your name and address and comments for the record.

Tom O'Brien: Hi good evening. Tom O'Brien and I am the property owner. My wife and I own the property at 3734 Hickory. I think you did a fantastic job of describing what we were thinking so really you know just as we understood a little bit better about the right-of-way and what had historically happened our thought was to be able to minimize that setback would provide a little more flexibility if and when we were to ever do anything on that property so we understand and fully expect to grant the drainage and utility easement as well as access to our adjacent neighbor.

Mayor Ryan: Perfect, thank you Mr. O'Brien:

Tom O'Brien: Thank you.

Mayor Ryan: Anybody else that would like to come forward? Alright with that I'll close the public hearing and return it to council for any further comment, question or motion. Anyone?

Councilman Campion: I'll make a motion.

Mayor Ryan: Councilman Campion.

Councilman Campion: I propose that the City Council adopts a resolution with it's conditions approving the vacation of a portion of public right-of-way dedicated as follows:

1. All the part of Hickory Road, formerly known as Kirkham Road, and as dedicated in Red Cedar Point Lake Minnewashta, according to the recorded plat thereof, Carver County,

Minnesota, lying northerly of the westerly extension of the southerly line of Lot 28, Block 1, in said plat (PID No. 256600140).

Mayor Ryan: Alright we have a valid motion. Is there a second?

Councilwoman Tjornhom: Second.

Mayor Ryan: Alright Councilwoman Tjornhom with the second. With a valid motion and second all those in favor please signify by saying aye.

**Resolution #2020-12: Councilman Campion moved, Councilwoman Tjornhom seconded that the City Council adopts a resolution, with it's conditions, approving the vacation of a portion of public right-of-way as follows:**

1. All that part of Hickory Road, formerly known as Kirkham Road, as dedicated in RED CEDAR POINT LAKE MINNEWASHTA, according to the recorded plat thereof, Carver County, Minnesota, lying Northerly of the Westerly extension of the Southerly line of Lot 28, Block 1, in said plat (P.I.D. NO. 256600140).

**All voted in favor and the motion carried unanimously with a vote of 5 to 0.**

Mayor Ryan: That motion carries 5-0.

**PUBLIC HEARING: APPROVE VACATION OF DRAINAGE AND UTILITY EASEMENTS AT 8077 CENTURY BOULEVARD.**

Mayor Ryan: Mr. Howley I think you're up again for another vacation of a drainage and utility easement.

Charlie Howley: Thank you Madam Mayor. I believe you are correct. Okay what we have here again is a vacation. This one doesn't have anything to do with right-of-way. It's just public drainage and utility easements and again we've got a power point here that will go through the request. It's located at 8077 Century Boulevard on the site of Control Concepts. Here's an aerial of the site in question with a blow up. This was the original plat from 1997 of Arboretum Business Park. You'll notice this northern portion is the subject in question and as part of that plat these yellow shaded areas were platted as drainage and utility easements. Nobody really quite knows why. Presumably there was some low areas that maybe they thought would be dedicated for wetlands or some use but nonetheless they were platted this way back then and could be noted as non-standard or atypical. Here's a blow up of that as well showing the yellow vacated easements, and these are drainage and utility easements. These are the oddly shaped atypical areas and then these are the standard 5 and 10 foot that border any sort of platted lot that we typically do nowadays. Also on top of this, which we'll show on the next slide is what we're replacing it with so we've vacating this and adding new. It just seemed easier that way because

of the size and shapes than trying to just carve out. Leave existing and just carve out what's changing. This was just from a surveying and documentation. This is just a cleaner way to do it. A complete vacation and a complete dedication. So here's what we would be dedicating back. Again we're going to maintain the 5 and 10 along the platted lot lines and doing a nice, more geometrical shape than these areas in yellow. So the recommendation is that the City Council adopts a resolution approving the vacation of public drainage and utility easements on Lot 2, Block 1 of Arboretum Business Park 7<sup>th</sup> Addition.

Mayor Ryan: Thank you Mr. Howley. Council any questions before I open the public hearing? Alright I hereby open the public hearing. Please come forward and state your name and address for the record and then address the council. With nobody here I will close the public hearing and return it to council for any questions, comments or motion.

Councilwoman Coleman: I'll make a motion.

Mayor Ryan: Councilwoman Coleman.

Councilwoman Coleman: The City Council adopts a resolution approving the vacation of public drainage and utility easements as dedicated as follows: All drainage and utility easements as dedicated in Lot 2, Block 1, Arboretum Business Park 7<sup>th</sup> Addition, Carver County, Minnesota, according to the recorded plat thereof.

Mayor Ryan: With a valid motion, is there a second?

Councilman Campion: Second.

Mayor Ryan: Thank you Councilman Campion. With a valid motion and second all those in favor please signify by saying aye.

**Resolution #2020-13: Councilwoman Coleman moved, Councilman Campion seconded that the City Council adopts a resolution approving the vacation of public drainage and utility easements as dedicated as follows:**

1. All drainage and utility easements as dedicated in Lot 2, Block 1, Arboretum Business Park 7<sup>th</sup> Addition, Carver County, Minnesota, according to the recorded plat thereof.

**All voted in favor and the motion carried unanimously with a vote of 5 to 0.**

Mayor Ryan: That motion carries 5-0. Thank you Mr. Howley.

**APPROVE BIDS FOR FIRE DEPARTMENT CREW ROOM FIRE STATION IMPROVEMENTS.**

Mayor Ryan: Chief.

Chief Don Johnson: Thanks again Mayor. This would probably potentially be a consent agenda item but there were some things that changed during the process so special thanks to Fire Marshal Nutter who primarily authored the staff report and has done the leg work on this. I just get to stand up here and present it so. In regards to our crew rooms that you approved for the overnight duty crew staffing there's some modifications that have to come for the station so Phase 1 of this is to take 3 assistant chief offices that they were sharing with their captains and repurpose those into crew rooms. If you remember, being back that far that city hall, that small conference room on the upper level then we would turn into a combined use supervisors work areas with four dedicated work stations for 10 supervisors to share to make room for the crew rooms. So Phase 1 was to update the crew rooms. Create the combined supervisor's office area and then redo the two bathrooms on the upper level of city hall for the restoration of Phase 1. Phase 1 would have been approved for \$95,000 or I'm sorry, \$93,000 as part of the CIP. During the process of obtaining bids and in your packet there's a simple table. We also got Phase 2 bids which Phase 2 is to renovate the two existing locker rooms downstairs. That had not been in front of you in regards to budget approval because it was a 2021 CIP project and we had put \$125,000 aside for that. We engaged 3 contractors, two which we know really well here in the city, Engelsma and Gardner. Just for reference Engelsma built Riley Crossing and Gardner is doing Camp Tanadoona so two reputable companies that we're used to dealing with. We engaged a third one and could not get a quote from them so if you look at the simple table, and why this is important part of new business, Engelsma bid to do both phases and put a financial incentive in, a savings of \$14,000 to do both Phase 1 and Phase 2 of this year. So not only are they cheaper across the board as far as the bids for both projects of Phase 1 and Phase 2, they've also incentivized to do both projects this year. We had to add alarm devices, notification devices inside the crew quarters. During that process in obtaining those bids we found out that our fire alarm panels are too old and antiquated. We can't add anything so we did get 3 bids for the replacement of that panel and the additional devices that we need to add to the rooms as well as the furniture cost was provided by a State contract, furniture company that we use here in the city so those are, that's all in State bid. Primarily those costs are related to the construction of that office combined supervisor's office. So the recommendations at this point would be to move forward with Phase 1 and Phase 2 to recognize the cost savings of \$14,671 and approve the contractor for the, both Phase 1 and Phase 2 as well as the purchase of the furniture off the State contract and the approved bid for the fire alarm system.

Mayor Ryan: Thank you Chief. Council do you have any questions?

Todd Gerhardt: Mayor and council. As a part of this presentation Don mentioned that we're, we split these from 2020 and 2021 and that total cost was \$218,000 so by taking advantage of the quotes that we have now you're roughly saving oh just under, just over \$50 some thousand dollars from doing it all in one year versus two years. If you look at the CIP sheet, \$51,741. If Dan's calculator's right.

Mayor Ryan: And so the addition, because I'm looking and I was looking at the CIP earlier. The addition of the furniture, because that wasn't in the initial part of the CIP and then you made reference that the Fire Relief Association is adding to it so if we could, obviously you're retrofitting that space but it wasn't you know new furniture and desks and etcetera. More in part of the initial CIP so I'm just.

Chief Don Johnson: ...Mayor, again what I tried to do when we got the original construction bid was to put in allowances for this type of thing. We knew we were going to have to furnish them and just for an example the crew rooms are going to have a desk and a chair and that's the extent of the furniture as well as you know a bed and we do have some furniture in the station that will work in that crew room. The Chanhasen Fire Relief Association is purchasing the beds and the televisions so those, you will not see any of that in here. That's all being done by the Fire Relief Association. So the main brunt of the furniture that you see in the bottom of that chart is the modular furniture and the work stations for that combined office for the supervisors.

Mayor Ryan: And that, okay. So that was all part of the.

Chief Don Johnson: Correct.

Mayor Ryan: Entire bid. Okay. And I mean I understand that we approved the 5 year CIP at the end of last year so this coincides with that. It just moves it all up into one year. Council are there any further questions, comments or motion?

Councilwoman Coleman: I'll make a motion.

Mayor Ryan: Councilwoman Coleman.

Councilwoman Coleman: The City Council awards a bid for construction and alarm system upgrades to Fire Station 1 to coincide with the overnight duty crew program approved for 2020.

Mayor Ryan: We have a valid motion. Is there a second?

Councilman Campion: Second.

**Councilwoman Coleman moved, Councilman Campion seconded that the City Council awards a bid for construction and alarm system upgrades to Fire Station 1 to coincide with the overnight duty crew program approved for 2020. All voted in favor and the motion carried unanimously with a vote of 5 to 0.**

Mayor Ryan: That motion carries 5-0.

Chief Don Johnson: Thank you council. Appreciate it.

Mayor Ryan: Appreciate it.

**COUNCIL PRESENTATIONS.**

Mayor Ryan: Council is there any presentations? I would just like to add one I'd like to extend my thanks to Mr. Sticha as well as the Economic Development Commission for hosting the first business open house last week. We had a good turnout and received some positive feedback from local businesses going forward and will be part of their planning process for goal setting going forward but they had a great set up in the room at the Rec Center with a lot of displays and got some good traffic I think from local businesses but also for, from the Highway 101 update that was in the room next door but regardless of why they showed up we appreciate that they did it and the Economic Development Commission did a great job with that so I just wanted to extend my thanks to those who attended as well as to the commission members.

**ADMINISTRATIVE PRESENTATIONS.**

Mayor Ryan: Anything on the administrative?

Todd Gerhardt: I'll give a plug here for Park and Rec. We have the Luminary Walk this coming Thursday. I believe it's from 6:00 to 8:00 over by the Holiday Inn and Life Time Fitness off of Century Boulevard. I've attended these in the past. They're really enjoyable. Weather looks good and great family activity. There's some smaller loops you can take as many as you want and I guess dogs are welcomed if they are leashed and you have the proper disposal bags with you and so it should be a good family event.

Mayor Ryan: Perfect. Thank you Mr. Gerhardt.

**CORRESPONDENCE DISCUSSION.** None.

**Councilwoman Tjornhom moved, Councilman McDonald seconded to adjourn the meeting. All voted in favor and the motion carried unanimously with a vote of 5 to 0. The City Council meeting was adjourned at 8:10 p.m.**

Submitted by Todd Gerhardt  
City Manager

Prepared by Nann Opheim