



DRAFT

Approved: May 22, 2023

**CITY OF ARDEN HILLS, MINNESOTA
CITY COUNCIL WORK SESSION
APRIL 17, 2023
5:00 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL

Pursuant to due call and notice thereof, Mayor Grant called to order the City Council Work Session at 5:00 p.m.

Present: Mayor David Grant, Councilmembers Brenda Holden, Emily Rousseau, Tena Monson and Tom Fabel

Absent: None

Also present: City Administrator Dave Perrault, Public Works Director/City Engineer David Swearingen, Community Development Director Jessica Jagoe, and Deputy Clerk Jolene Trauba

1. PUBLIC INQUIRIES/INFORMATIONAL

Linda Swanson, 1124 Ingerson Road, stated based upon an April 13 JDA advisory committee meeting, it became obvious the only reason that committee was formed was to keep information a secret from the Arden Hills residents. She said it is known that because the JDA advisory committee doesn't constitute a quorum they're not obligated to follow open meeting requirements. She said during the April 10 Council meeting Mayor Grant asked the City Attorney if the JDA advisory committee could make the meetings open and the City Attorney said the JDA advisory committee could conduct open meetings. On April 13 a few Arden Hills residents and the Mayor met at the Arden Hills office intending to attend the JDA advisory committee meeting. She was told that the advisory committee members refused to open the meeting. After the meeting, the minutes from the April 13 meeting summaries as well as other advisory summaries were posted. She explained when the County sued the City, the number of units stood at 1460 units. Although the meeting summaries don't provide all information, discussion about the number of units was contemplated to be 1,700 to 2,200 units. She questioned where this number of units came from. She noted this number did not come from a City Council or JDA meeting. She asked if the JDA advisory committee was discussing things with JDA committee members outside of scheduled meetings behind closed doors? Was the JDA advisory committee withholding pertinent and relevant information, and are they making decisions they should not be making? She questioned if this was why the JDA advisory committee meetings were being held under the cloak of darkness. She believed it was appalling that this information was being withheld. She explained she sent an email to Councilmember Fabel and encouraged him to remember he represents all Arden Hills

residents and yet he was withholding information. She inquired what happened to his campaign promise for transparency and public participation. She asked if Councilmember Fabel would keep the next JDA advisory committee meeting closed or open.

2. RESPONSE TO PUBLIC INQUIRIES

Mayor Grant asked if it was their intention to roll responses from questions asked at work sessions to work sessions, or if they roll to regular meetings.

City Administrator Perrault said it was his understanding that questions raised would be addressed at the next public meeting unless otherwise directed. Council had not directed staff to bring back information from questions asked at the last meeting.

Mayor Grant felt if members of the public are asking questions of their elected representatives they should report back.

Councilmember Fabel said what he's heard are arguments, not requests for information, and he didn't see any point in arguing with citizens. If someone has a true question we should try to come up with the information to answer it.

Councilmember Holden thought they should answer the questions or tell them we don't have an answer if we don't.

Councilmember Rousseau stated her preference would be that if someone asks questions at a Council meeting it be addressed at the next regular meeting. She felt Council should provide better direction to staff about which questions to answer.

Mayor Grant felt staff should review the previous Council meeting and answer the questions asked.

Councilmember Monson said that's not what they were saying and she knew what the Mayor was trying to do. She thought if someone asks a question that Council directs staff to respond to that's what they should continue to do. But to just answer any question that comes up isn't how it's done, it's not effective to answer rhetorical questions; some are argumentative or political and that's just not how you run a council. Council should provide clear direction as to what questions are to be answered by staff but not just open it up to engage in political fighting and infighting is not something she would support.

Councilmember Holden stated they've never not answered questions except TCAAP litigation questions. It blew her away that they were going to pick and choose which questions would be answered.

Mayor Grant said staff can review questions from the last meeting and if they were viable requests they should respond.

Councilmember Monson suggested they do that going forward and give direction at the bench.

Mayor Grant said the point he was getting at was he thought there were questions from the last Council meeting and it would be responsible for the Council to answer them.

Councilmember Fabel said there had been a question regarding a councilmember using profanity and he wouldn't hold the councilmember to answering that.

Councilmember Holden felt that wasn't a question, it was asked that it be put in the council conduct rules.

Councilmember Rousseau felt that was a statement about something that had actually happened, not a personal attack.

Mayor Grant agreed that if a question was asked at a Council meeting it should be addressed at the next Council meeting, not at a work session.

City Administrator Perrault noted that in the past Council had always given direction to answer questions and he didn't know if staff should decide which questions to answer.

Mayor Grant suggested staff review the tape from the last minute to see what questions were asked.

Councilmember Holden agreed.

Councilmember Monson disagreed. She felt it wasn't a good use of time to go back, but going forward was fine.

Councilmember Fabel felt staff should look for questions of fact, but not argumentative questions.

Councilmember Rousseau didn't want to put staff in the position of making a judgement call and would like to have Council provide direction starting today.

Mayor Grant noted there was a 3/2 split on this issue. He directed staff to review the last meeting for factual questions and that going forward they would give staff more purposeful direction.

3. AGENDA ITEMS

A. Lake Johanna Boulevard Trail Update

Public Works Director/City Engineer Swearingen reported that Ramsey County will not be pursuing State bond funding for the project, and they would like the City to commit to a \$2 million local match with no stipulations or contingencies tied to the City's commitment. If directed to move forward, the resolution would come at the next regular Council meeting.

Councilmember Rousseau asked when they would need to provide the funding.

Public Works Director/City Engineer Swearingen said he assumed a portion of the \$2 million would be needed by 2027.

Councilmember Monson wondered how much would be eligible for MSA funds.

Public Works Director/City Engineer Swearingen thought the entire \$2 million would be MSA eligible.

Councilmember Holden said they could apply for bonding at the State level.

Mayor Grant said if they don't get the bonding and the project suddenly gets more expensive, they can't be put in the situation where the City is paying more than the \$2 million. MSA funds would be negative for 7-8 years.

Public Works Director/City Engineer Swearingen said they would have to supplement using PIR funds until we caught back up.

Councilmember Rousseau thought they could borrow 5 years in advance.

City Administrator Perrault wondered if they had other projects that were already going toward 2028, like the Snelling Avenue N trail.

Public Works Director/City Engineer Swearingen stated he could work with Ramsey County on a draft resolution, possibly bring it back to a work session or for a vote at a regular meeting.

Councilmember Monson summarized that they would do the \$2 million maximum, and they are thinking MSA funds would be available. She liked that this gave them enough time go for bonding or other funding sources.

Councilmember Holden felt they should go ahead with the resolution.

Public Works Director/City Engineer Swearingen thought Ramsey County may want to avoid having a cap on the amount the City commits so he will look at the wording.

Councilmember Holden said if they were to be funded 80% the resolution couldn't be for just \$2 million, it would have to be looser so they would fund the money that was missed.

Mayor Grant said they also needed to make sure Ramsey County knows the City doesn't have an unlimited check book, but to move forward with the resolution.

Councilmember Holden suggested to ask for a resolution from Ramsey County to support the City asking for State bonding.

B. Ordinance Review for Home Improvement Discussion

Community Development Director Jagoe stated this item was a follow up to the February 21 work session discussion where they were talking about some City ordinances that may be restrictive to residents wanting to remodel or add on to their home. It was noted there could be hinderance with setbacks and some conflicts with State building codes. Corner lot setbacks were also discussed. Staff was directed to compare our setbacks with neighboring cities. She had a list of code amendments previously identified by the Council and included the survey results.

Community Development Director Jagoe said the last time a full ordinance review was done was in 1993. Since then there have been a number of amendments and some of that has led to inconsistencies in the ordinance language. A full ordinance review would allow for clean up and reformatting to make it more user friendly. She wondered if Council would be interested in hiring a consultant to work with the City to prepare a full ordinance review.

Councilmember Fabel wondered if we had problems frequently enough to warrant analysis from a consultant.

Community Development Director Jagoe felt that given some of the ordinances that the Council had identified and the time that it would take to work on just one of them, it could be a couple of years before they got through the list. She thought there were also other ordinance sections where language could be added and it could be done in a more timely manner if they utilized a consultant. That would also allow them to look at the formatting and flow of information.

Councilmember Holden was surprised at how close our setbacks are to the other cities. She was in favor of reviewing and reorganizing the ordinances. She thought they should look at people putting ornamental grasses and other tall landscaping too close to the curb.

Community Development Director Jagoe thought there were two different spots that talk about plantings in the right-of-way. They could add it to the list.

Councilmember Fabel said there were some cities attempting to modify their ordinances to increase density, would a consultant be able to discuss that?

Community Development Director Jagoe said they would have the consultant attend a work session with the Council and ask the consultant to put together a list of ordinances they've seen in other communities, and the Council could provide direction.

Mayor Grant discussed setbacks and asked if staff had the bandwidth to make all of the changes.

Community Development Director Jagoe said looking at the current list, they would have Council give direction of the order and staff would work on them one by one.

Councilmember Rousseau asked if they were thinking about having a consultant and target the list or incorporate the list into the consultant's review.

Community Development Director Jagoe said if there was one the Council wanted staff to start working on now they could do that, but it was hard to say where one ordinance discussion would lead into another. Or the direction could be to start looking at consultant research and bring that information back.

Councilmember Rousseau wondered if fences were something the Planning Commission could work on.

Community Development Director Jagoe thought they were just looking at adding definitions of what was temporary and permanent fencing and it could go right to the Planning Commission.

Councilmember Holden thought they were also going to look at fence height.

Community Development Director Jagoe stated if they hired a consultant it would be a comprehensive approach and they would go through all of the ordinances. She would take items to the Planning Commission if they were limited in scope.

Councilmember Monson supported waiting until 2024 and getting a consultant then. Anything important enough to tackle in the next six months staff could do.

Councilmember Holden agreed with waiting until 2024 and putting it in the budget but wondered if they could do a band aid for ordinances that have known conflicts.

Community Development Director Jagoe said there are items within the infill discussion but they could look at one component of it that may be conflicting.

Councilmember Monson asked what the cost might be.

Community Development Director Jagoe said it could range from \$35,000-\$100,000, depending on the scope. She was thinking they would look at Chapter 13; the zoning code separate from the TRC and that it may not include shoreline or flood plain ordinances.

Mayor Grant supported doing this in 2024, he felt the code needed to be easily readable. He encouraged staff to look at low hanging fruit, such as EV charging stations.

Councilmember Fabel concurred with the possibility of a consultant being hired in 2024. He suggested asking Shoreview if they would want to share the expense of a consultant and getting common options.

Councilmember Holden thought they should write an ordinance saying they have to put in X number of charging stations at developments.

Councilmember Monson said they could also require an electrical box in the garage and to have 220 in the garage of new homes.

Community Development Director Jagoe said her understanding of the Council's direction is to work on fences, zoning amendment inconsistencies between the comp plan, land disturbance and fill, EV charging stations, and a budget discussion for a consultant.

Mayor Grant also wanted corner lot setbacks reviewed.

Councilmember Holden asked why they would do fences now and again next year.

Community Development Director Jagoe said they would look at the definitions of temporary and permanent fences.

C. Proclamation Discussion

City Administrator Perrault noted that in the past proclamations have been done for Public Works Week, Police Week, Night to Unite and when a long-standing employee resigns.

Councilmember Holden said there were standards set when Communications was building the new website and social media guidelines.

Mayor Grant said he contacted another community and they are in line with what we do, but they did add Arbor Day. They cautioned him about opening up to any proclamation because they've received requests they didn't want to entertain.

City Administrator Perrault reported that he had reached out to a few other cities, some do very few proclamations, but others like Roseville, do a lot.

Mayor Grant said they could get a proclamation request of something unusual and then they end up debating the merits. Some proclamations could render themselves political in nature.

Councilmember Holden said they have received conflicting proclamation requests.

Councilmember Fabel felt they didn't need a policy but wasn't in favor of the Council getting wrapped up in a hot button political issue that is divisive within the community. He offered a compromise that in order to issue a proclamation there would have to be a super majority approval.

Mayor Grant asked if he was suggesting that if staff received a request they would query the Council to see where they were at?

Councilmember Fabel thought staff could inform Councilmembers of requests and any proclamation could come forward from a councilmember as a motion requiring super majority approval.

Councilmember Monson was concerned about political requests that have nothing to do with the city. She's not interested in those but also doesn't want to be too rigid. She suggested maybe they could be brought to a work session first to see if there was consent to have it brought forward.

Councilmember Holden felt the items need to be related to the City.

Mayor Grant agreed that historically Council hasn't gone beyond city issues; public works, police etc.

Councilmember Rousseau thought no one would get proclamation happy. If they see something they are passionate about that could have an impact on our community it could get talked about at a work session or at the end of a Council meeting.

Mayor Grant said once you open it up you will get proclamation requests from all kinds of agencies. He felt they should all think about it and bring this item back for further discussion at a future work session.

D. NYFS Board Member Discussion

City Administrator Perrault stated that they City is guaranteed at least an advisory spot on the NYFS Board of Directors, with the option of a full board member.

Councilmember Rousseau said she would like to do it, as a Director on the board.

Councilmember Monson said she would be an alternate if needed.

Mayor Grant directed staff to put it on the next agenda for approval.

E. Council Retreat Scheduling

City Administrator Perrault said he wasn't able to lock down a date that would have 100% participation.

Councilmember Monson stated that Saturdays are hard, and that maybe a weekday might be easier.

Councilmember Rousseau said her preference would be September with a Friday/Saturday.

Councilmember Holden said it is hard for her during the work week.

Councilmember Monson thought September was a good idea, and they could talk about 2024.

Councilmember Holden wondered what was the purpose of the retreat vs a planning document that should be done at a work session. She thought they should be talking about goals for next year when they're doing the budget, and that should be at a work session.

Mayor Grant said if you define those items that should be in a work session regarding the budget then you've negated the reason for a retreat.

Councilmember Rousseau said she had pictured the retreat as looking at long term goals and what they were trying to accomplish in the next couple of years.

Councilmember Holden felt the long term should be put into the budget discussion.

Councilmember Monson saw value in having a mediator to keep the discussions organized and focused anytime they have a strategic discussion.

Mayor Grant thought maybe they needed to have more specifics about what they want the retreat to be. He asked about the League of Minnesota options for working together.

City Administrator Perrault said he said the Collaboration Services person suggested coming to a work session to discuss the norms of behavior.

Councilmember Holden wondered if the retreat would be televised.

City Administrator Perrault said they have not traditionally been televised but that would be up to Council.

Councilmember Monson supported Collaboration Services working with the Council.

Mayor Grant said they could also have them discuss proclamations with the Council. There is no cost. As far as the retreat he felt they were landing on September. Working with Collaboration Services and the retreat would be two separate things.

City Administrator Perrault stated the consultant would interview each councilmember to see what they individually wanted to get from the retreat.

Mayor Grant felt the consultant should start interviews in July or August for a September retreat. The CIP would be discussed in June.

Councilmember Monson thought they could use the League for the norms of behavior, go through the CIP in June and have the retreat in September.

Councilmember Rousseau said having the retreat at the end of the year would be helpful to go into next year with the same understanding.

Mayor Grant asked staff to see what the consultant's schedule, report back at a work session and bring to the contract to the Council for approval in July.

Councilmember Fabel noted that he has a conflict the first two weeks of September.

F. Council Tracker

City Administrator Perrault explained the normal process for reviewing the tracker.

After discussion it was decided that Trees West of TH10 could be removed from the tracker. No new items were added.

4. COUNCIL/STAFF COMMENTS

Councilmember Monson stated that she attended Talking Trash that including discussions about organized trash, what the school district does with their waste and organics collection.

Councilmember Monson suggested sound walls and the strategy for applying for them be put on a future work session.

Mayor Grant asked if cities indicated what they were doing for organized collection and why.

Councilmember Monson said it sounded like Maplewood was the first city to do it in the metro area. The biggest benefits are potentially cheaper costs for households and roads lasting longer with a single truck. Shoreview is looking at it now.

Further discussion ensued regarding organized trash.

Councilmember Rousseau stated the PTRC would be voting on partnering with Green River Greening and buckthorn removal. She'd like to see it on the next Council meeting due to the time restraint with the grant. Also, by unanimous vote they recommend that the Council to pursue all avenues for funding trails.

Councilmember Rousseau asked where they were at with the budget and wondered when it would be discussed.

Mayor Grant responded that the audit is almost completed, they are waiting on some final numbers from Ramsey County. The budget will have a surplus of about \$250,000, but the final numbers won't be known until after hearing from Ramsey County.

Councilmember Rousseau wondered when the new emergency operations document would be coming out.

City Administrator Perrault said it came out late in the previous week but neither the emergency manager or the staff liaison had a chance to review it. Council will probably see it in the next couple of weeks.

Mayor Grant asked about the closure on Lexington Avenue.

Public Works Director/City Engineer Swearingen said Ramsey County closed Lexington at County Road E for three to four weeks, due to the railroad construction. All bituminous on Lexington will be replaced with concrete except where it ties into cross streets. Arden Hills water main work may be a while, but deliveries will be coming as they gear up.

Mayor Grant asked for an update on County Road E and Old Snelling.

Public Works Director/City Engineer Swearingen stated a utility coordination meeting had happened with SRF, the consultant doing the construction administration, and all private utilities. Xcel high pressure gas and Xcel low pressure gas have the largest impacts, Century Link has a large concrete duct that needs to be lowered. He thought it was a good meeting but it sounds like the private utilities will have more impact than what was previously discussed. There could be an additional closure on the east leg, and the south leg closure may be extended. They are still planning to have the intersection open before school starts. They will have another meeting to get a better plan for scheduling. SRF has dedicated staff to do communication. The contact information has been updated on the city website project page and the link to the Ramsey County website project page.

Mayor Grant asked for an update at the next Council meeting and an explanation of the closures.

Public Works Director/City Engineer Swearingen said he could potentially have that for the first meeting in May.

City Administrator Perrault stated he sent a note to Council regarding the Chamber of Commerce manufacturing cohort, if they are interested they are asking for \$1,000.

Councilmember Fabel wondered why we would give them money to do all the things they would be doing with us anyway.

Councilmember Holden asked Community Development Director Jagoe if she thought it was a good idea.

Community Development Director Jagoe said it is a new program for the Chamber as an initiative to work directly with the manufacturing community and Mounds View High School. They haven't set up the framework of how the students would work with manufacturing but she felt there was a benefit to getting the high schoolers familiar with the community and creating that workforce.

Councilmember Holden felt it was a good cause to get kids involved with careers.

Mayor Grant added it also give the manufacturing sector a vehicle to get together with the students.

Community Development Director Jagoe stated they had identified a list of businesses that have a manufacturing component and sent the information to them.

Councilmember Monson supported the idea as a good pro-business approach.

Councilmember Rousseau agreed but would also like to know how it works out.

City Administrator Perrault said the article in the newsletter regarding Just Deeds would be out shortly, so he was confirming with Council that they'd like staff to go ahead with the next step of sending out letters to those affected.

Mayor Grant re-affirmed that was the direction.

ADJOURN

Mayor Grant adjourned the City Council Work Session at 7:19 p.m.

Jolene Trauba
Deputy City Clerk

David Grant
Mayor