



DRAFT

Approved: June 12, 2023

**CITY OF ARDEN HILLS, MINNESOTA
REGULAR CITY COUNCIL MEETING
MAY 22, 2023
7:00 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL

Pursuant to due call and notice thereof, Mayor David Grant called to order the regular City Council meeting at 7:00 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; Finance Director Gayle Bauman; City Attorney Joel Jamnik; and Assistant to the City Administrator/City Clerk Julie Hanson

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

Councilmember Holden requested Item 10A be moved to the Consent Agenda.

MOTION: **Councilmember Holden moved and Councilmember Monson seconded a motion to approve the meeting agenda as amended. The motion carried (5-0).**

2. PUBLIC INQUIRIES/INFORMATIONAL

Donna Wiemann, 1406 Arden View Drive, stated the idea of having an open house for TCAAP in the near future was nixed by the Joint Development Authority board members on this Council. She stated Arden Hills residents were told that an open house would perhaps occur this fall, which was four to five months from now. She indicated there was information that could be shared with the public now. She believed now was the time to listen to residents, get their ideas, suggestions, concerns and questions. She requested the Council not close out the Arden Hills neighbors until it is too late for the residents to contribute to the TCAAP development in a meaningful way. She supported the open house being face to face because this created greater transparency.

Kathy Sukke, 1286 Karth Lake Circle, stated she was not happy with the agenda setting discussion at the worksession last week. She noted the slate pushed to have their majority vote on all agenda items six days before the City Council meeting. She reported the Mayor said he asked if there were any other agenda items at the beginning of each meeting, and they are granted in a timely manner. She indicated a majority vote so long before a meeting allows the slate to control conversations in the City. She noted timely matters may not make it to the public, who are the taxpayers. She indicated this has been done before when inexperienced Mayor Pro Tem Emily Rousseau tried to intimidate those who made public comments by having a gun toting police officer walk up behind speakers to note the time. She stated she will forever be offended by those actions. She reported time was kept selectively at the February 14th meeting. She explained this sinister behavior bodes ill for Arden Hills. She believed it was wrong for a majority vote of the Council to be taken on items before they even reach the City Council. She feared the new Councilmembers were confused about the proper running of government. She noted Tom, Tena and Emily continue to use the term “we” as if they have already spoken before they come to the meeting. She reported the “we” is not appropriate in a republic. Rather, this was a City of 8,000 residents and the Council should be considering what was best for all current residents. She believed the slate has shown they need lessons in civics, Constitution and open meeting laws. She reported the new Councilmembers were not elected to make Arden Hills a City without a voice, or subservient to another interest. She stated this would be a violation of due process both here and at the JDA. She indicated it was nice that the Ramsey County Commissioners could finally attend JDA meetings after four years of absence. She did not believe Nicole Frethem was representing Arden Hills residents or the community well. She feared that by squashing agenda items before they can reach an agenda, voices will not be heard and in taking this action the new Councilmembers dishonor themselves.

Linda Swanson, 1124 Ingerson Road, stated she her comments and questions were directed at Tom Fabel only. She understood Ramsey County Commissioner Frethem left the decision to whether the JDA Advisory Committee meetings would be open or closed to Councilmember Fabel. She asked Councilmember Fabel why the JDA Advisory Committee meetings were closed. She understood Councilmember Fabel was not an officer of the court, but she urged him to abide by the principles of conduct. She questioned if Councilmember Fabel had discussed any information discussed at JDA Advisory Committee meetings with anyone else.

3. RESPONSE TO PUBLIC INQUIRIES

None.

4. PUBLIC PRESENTATIONS

None.

5. STAFF COMMENTS

A. TCAAP/Rice Creek Commons Update

City Administrator Perrault stated the JDA Advisory Committee held meetings on May 11 and May 18. He noted the committee discussed remediation of the site with Alatus on May 11 and the

County had their environmental attorney address questions from Alatus. He explained Alatus also requested due diligence documents to ensure the site could be financed and the county attorney was working on these documents. He stated the County also agreed to have Kimley Horn provide updated infrastructure costs at a future meeting and the developer agreed to provide updated development scenarios for consideration. He reported the May 18 meeting was intended to plan for the June 5 JDA meeting. He stated the topics to be discussed at the June 5 JDA meeting would be a refresher on the TRC, communications planning, JDA budget review and the creation of the Energy Committee. He stated Goff was working on an updated website for Rice Creek Commons (ricecreekcommons.com). He noted the public could ask questions and see responses at this site. He stated the JDA Advisory Committee agreed to meet again on June 1. He explained the summaries from the JDA Advisory Committee meetings were posted on the City's website.

Councilmember Monson commented on the environmental discussion with Alatus. She noted Alatus had a number of questions regarding the cleanup, where the wells are, and how the infrastructure was laid out. She reported it was important for the County to bring their environmental attorneys and consultants to review this information with Alatus. Based on the responses, she did not see any major financing issues with the warranty deed. She was of the opinion it was important that development scenarios would be brought forward given how the market has changed over the past five years.

Mayor Grant clarified the deed for TCAAP was a quitclaim deed and not a warranty deed.

City Attorney Jamnik explained he could not recall what the property transfer requires. He noted the remediation certificates all have to be in place. He reported he could research this further and report back to the Council.

Mayor Grant requested staff investigate this further and report back to the Council.

Councilmember Rousseau asked what the size was of the greenspace from the original plans.

Mayor Grant recalled the proposed greenspace was reviewed by the PTRC but noted he did not recall the size and number of the parks.

Councilmember Holden reported the greenspace down the middle of the plan was for stormwater ponds.

Councilmember Monson explained she hoped the stormwater ponds would be utilized as a feature that had walkways and greenery.

B. Transportation Update

Public Works Director Swearingen updated the Council on the Ramsey County led improvements that were continuing for Lexington Avenue. He explained traffic would remain single lane both north and southbound. He noted businesses would remain open but traffic delays were anticipated at Lexington Avenue and I-694, as well as at Red Fox Road.

Public Works Director Swearingen stated for the intersection at County Road E and Old Snelling, private utility work has begun in preparation for the roundabout. He explained roundabout construction would begin in early June. He stated on Wednesday, May 24 staff would be attending a preconstruction meeting with the contractor.

Public Works Director Swearingen explained on June 12 the Public Works staff would begin trail maintenance within Floral and Cummings Parks. The anticipated completion date for this project was mid-July pending weather delays.

Councilmember Holden asked if the PMP project for 2022 was completed.

Public Works Director Swearingen stated staff was working through the final punch list items with the contractor and staff was monitoring the vegetation growth.

Councilmember Monson questioned when the Lexington Avenue construction would be ending.

Public Works Director Swearingen explained the County's website says through the end of the summer.

6. APPROVAL OF MINUTES

- A. April 17, 2023, City Council Work Session
- B. April 24, 2023, Special City Council Work Session
- C. April 24, 2023, Regular City Council
- D. May 8, 2023, Regular City Council

Councilmember Holden noted she spoke with the City Clerk regarding a minor change to the May 8, 2023 regular City Council minutes.

MOTION: **Councilmember Holden moved and Councilmember Fabel seconded a motion to approve the April 17, 2023, City Council Worksession meeting minutes, April 24, 2023, Special City Council Work Session meeting minutes, April 24, 2023, Regular City Council meeting minutes as printed; and the May 8, 2023, Regular City Council meeting minutes as amended. The motion carried (5-0).**

7. CONSENT CALENDAR

- A. Motion to Approve Consent Agenda Item - Claims and Payroll
- B. Motion To Approve Ordinance 2023-005 Amending The 2023 Fee Schedule And Authorize Publication Of Summary Ordinance
- C. Motion To Approve Resolution 2023-024 Appointing Council Liaison To The Economic Development Commission (EDC)
- D. Motion To Approve Resolution 2023-025 – Planning Case 23-009 – Site Plan Review For 1275 Red Fox Road, Sign Standard Adjustment
- E. Motion To Approve Resolution 2023-026 And MnDOT Safe Routes To School (SRTS) Grant Agreement – MVHS Trail Improvement Project
- F. Motion To Approve Quote For Purchase And Repair Of Vac-Truck

- G. Motion To Approve Resolution 2023-027 Approving Plans And Specifications And Ordering Advertisement For Bids – Arden Manor And Floral Park Improvements Project
- H. Motion To Approve First Amendment To Development Contract And Planned Unit Development (PUD) Agreement With Arden Hills RE, LLC On Behalf Of New Perspective Senior Living – Planning Case 22-023
- I. Motion To Approve Professional Services Agreement For Design Engineering Services With SRF – Old Highway 10 Trail Improvements Project
- J. Motion to Approve Resolution 2023-028 – Planning Case 23-008 – Variance for 1475 Dawn Circle

MOTION: Councilmember Holden moved and Councilmember Monson seconded a motion to approve the Consent Calendar as presented and to authorize execution of all necessary documents contained therein. The motion carried (5-0).

8. PULLED CONSENT ITEMS

None.

9. PUBLIC HEARINGS

None.

10. NEW BUSINESS

- A. **Resolution 2023-028 – Planning Case 23-008 – Variance for 1475 Dawn Circle**

This item was moved to the Consent Agenda.

11. UNFINISHED BUSINESS

None.

12. COUNCIL COMMENTS

Councilmember Monson reported she attended the touch a truck event and stated it was excellent. She thanked Public Works and the City staff for putting on this event.

Councilmember Monson commented the Fire Board has been discussing the fire district, along with the building. She noted Chief Boehlke would be attending a Council meeting in June.

Councilmember Fabel discussed the food scrap program that was sponsored by Ramsey County and encouraged residents to consider participating in this program. He suggested the City consider hosting a drop off site at the City Hall parking lot.

Councilmember Holden reported she attended the Lake Valentine Elementary School carnival and noted this was a good fundraising event.

Councilmember Holden addressed a comment made by Councilmember Fabel directed at her at the last regular City Council meeting in which he stated she does not like people who are hard of hearing. She noted she has advocated for people with disabilities for many years and explained this was a slanderous comment and she was insulted by it. She requested that Councilmember Fabel apologize to her for the comment as it was completely inappropriate and uncalled for.

Councilmember Fabel stated this was simply his observation and that she has not treated him well.

Councilmember Holden indicated that she does not like that Councilmember Fabel shows up at the last minute for the Council meetings and expects them to wait to start.

Councilmember Holden commented on the AUAR discussion that was held at a previous Council meeting. She said that she is pro-development but explained her point was that she would have liked to have seen the current RFI process done properly. This does not mean she is not pro-development. She referenced several development projects she was involved in and reiterated that she and the previous Council were all pro-development.

Mayor Grant read a long list of development projects that Councilmember Holden had worked on over the past several years in conjunction with previous City Councilmembers.

Councilmember Rousseau thanked Lacey Loosbrook of the PTRC for volunteering to be the volunteer coordinator as PTRC member Kristine Poelzer was stepping down from this role.

Councilmember Rousseau explained the City would be soliciting volunteers for the Economic Development Commission and noted this group would be meeting in the mornings once a month beginning in August.

Councilmember Rousseau commented the Council meeting scheduled for June 19 would be moved to June 20, which meant the PTRC meeting would be moved to June 13.

Councilmember Rousseau stated she saw a lot of lawnmowers out this past weekend. She suggested the Council consider a “Low Mow May” for 2024 based on new information that was presented by the University of Minnesota.

Mayor Grant stated he attended the touch a truck event and reported he was rather pleased by the attendance.

Mayor Grant reported Ramsey County Recycles was in Arden Hills in May. He noted there is a location for organics collection at the City’s compost location off of New Brighton Road. He understood the County was working on expanding the organics recycling program and this could potentially would roll out in Arden Hills in 2025.

Mayor Grant explained he recently attended a Gateway Visitor Bureau meeting and noted hotel stays for the region were up.

ADJOURN

MOTION: **Councilmember Monson moved and Councilmember Fabel seconded a motion to adjourn. The motion carried (5-0).**

Mayor Grant adjourned the Regular City Council Meeting at 7:42 p.m.

Julie Hanson
City Clerk

David Grant
Mayor