



DRAFT

Approved: July 10, 2023

**CITY OF ARDEN HILLS, MINNESOTA
CITY COUNCIL WORK SESSION
JUNE 20, 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, Assistant Public Works Director Lucas Miller, Assistant to the City Administrator/City Clerk Julie Hanson, Senior Communications Coordinator Luke Cardona, HR Green Project Manager Chris Harrington, HR Green Project Engineer Thomas Jantscher, and Bolton & Menk Principal Engineer Mike Waltman

Mayor Grant stated he had a request to move item 5E to be the first Presentation Item. He explained that due to the large number of items he had divided the agenda into three different sections to hopefully make the meeting go faster. The first section was Informational Items similar to Consent Items on a regular agenda, that could be pulled if someone wants to talk about them. The next section are items where staff has questions they'd like to ask the Council. The Presentation section will have discussions that will take time. Section 6 is where they will put pulled items so as to be respectful of the time of contractors that are presenting in the Presentation section.

Councilmember Monson requested Item 3C be pulled from the Informational Items to be discussed as Item 6A.

1. PUBLIC INQUIRIES/INFORMATIONAL

Linda Swanson, 1124 Ingerson Road, stated there was a total lack of transparency as promised in campaigns. Residents are not getting the JDA Advisory minutes in a timely manner, and they have to follow a convoluted series of links to get to them. The June 9 JDA Advisory minutes weren't loaded until June 16, the JDA Advisory committee met on June 15 and as of last night those minutes aren't available. Someone said they consider the JDA Advisory meetings similar to regular staff meetings. In staff meetings do they talk about projects costing the city millions of dollars, density issues and other major issues without a councilmember being present? Why is the

developer coming up with different scenarios? Aren't they supposed to do what the County and City want? Or are councilmembers bringing new numbers into the equation. She stated that Arden Hills Notes gets distributed to all residents but there is no line item about TCAAP in it, or where they can get information. She felt they are doing the residents in the city an injustice.

2. RESPONSE TO PUBLIC INQUIRIES

None.

3. INFORMATIONAL ITEMS

A. State Fair Parking

Mayor Grant said the State Fair parking is proposed to be the same as previous years.

Public Works Director/City Engineer Swearingen noted they are adding no parking signs to New Brighton Road to make it more apparent.

Councilmember Holden asked if Lake Johanna Boulevard was no parking.

Public Works Director/City Engineer Swearingen said people are allowed to park on Lake Johanna Boulevard where there is shoulder area.

B. Nuisance Signs Management Policy

No discussion.

~~**C. Data Practices Policy Review**~~

D. Youth Commissioners Draft Ordinance Language

Councilmember Rousseau added the Planning Commission discussed having a youth commissioner and they were not against it.

Councilmember Holden noted that the city attorney was against a youth commissioner on the Planning Commission.

E. Council Tracker

Mayor Grant said if anyone had issues with the Tracker they should contact staff.

4. STAFF QUESTIONS

A. State of the City Planning Discussion

Mayor Grant said staff would like to know if Council would like a State of the City in the fall or spring.

Councilmember Rousseau asked if they could have it later in the day, maybe 5:00 or 6:00 p.m. or does 7:00 a.m. work better for attendance?

Mayor Grant said it seemed to work better for the business community. The last one was at Boston Scientific and he didn't particularly like the venue. They have tried meetings at night but no one showed up. At 7:00 they can have refreshments and that's a draw for people. Mornings seem to work better based on their history.

Councilmember Monson felt 7:00 a.m. was a little too early, do they have coffee until 7:30 and then it starts?

Mayor Grant said they could have casual discussions between 7:00 and 7:30, and the formal presentation at 7:30.

Councilmember Monson thought even 8:00 would be OK. It might be particularly hard for people with children to be there at 7:00. She liked the morning meeting.

Councilmember Holden said she thought they should have it this fall and it should be at Flaherty's or the Tavern Grill.

Councilmember Fabel suggested they have the event in January.

Mayor Grant explained that they will go through the budgeting process, then they get to construction season, and in September kids are back in school and it seems like sweet spot; they have things to talk about and people want to go. He recommended early September.

Councilmember Fabel said he agreed with an evening event as last year's meeting wasn't well attended.

Councilmember Holden mentioned that last year they didn't send postcards and advertise like they had in the past.

Mayor Grant felt the issue was in part due to the venue. Flaherty's and the Tavern Grill are always packed. It also could have been a little of residual COVID.

After further discussion it was determined to hold the event in the fall with a slightly later start time. The venue should be somewhere people could easily find.

Mayor Grant said he'd like to follow the same format as last year where everyone gets a topic.

B. Twin Cities Gateway Grant Discussion

Mayor Grant stated there is a balance of \$15,380 to use. He suggested allocating half to the ribfest and half to Bethel College.

Councilmember Holden said the Quality Inn is hurting because of the construction on Lexington and she wondered if there was something they could do for this small hotel in the community to help them survive.

Mayor Grant said one of the stipulations for both ribfest and Bethel be that they recommend our hotels for people to stay. He didn't know if a direct subsidy from the Visitor's Bureau is what they had in mind when they gave the City those funds.

Councilmember Fabel recommended the entire amount be given to the ribfest. He thought it was going to be a great new event for the City and we should give them some financial help. He didn't think we had any business giving money to Bethel University, and that if we gave to Bethel we should give the same amount to Northwestern, but he didn't think they should be given City money when we could help promote a major city-wide event like the ribfest.

Councilmember Holden was against giving all of the money to the ribfest, she preferred to give them half.

City Administrator Perrault stated the ribfest hadn't made a financial request from the City, \$5,000 was suggested as a dollar value on marketing the city could do.

Councilmember Rousseau said they don't know if ribfest will be an annual project, so giving them support could help make it an annual event.

Mayor Grant felt they shouldn't hold it against Bethel just because they are a college.

Councilmember Monson didn't have any great ideas for alternative use since \$15,000 isn't enough for an entire event. She thought supporting ribfest was a good idea. She asked for more information about what Bethel would do with the money.

Mayor Grant said it would be funding to help bring alumni back, advertising for homecoming, putting things on their website etc., trying to keep them engaged in the community.

Councilmember Monson said she was fine splitting the money between ribfest and Bethel.

Councilmember Holden asked if there was a date the money had to be utilized by.

Mayor Grant replied by the end of the year. They'd be expecting approximately the same amount next year.

Councilmember Fabel again mentioned if they were going to give money to Bethel they should split it and give an equal amount to Northwestern.

Councilmember Holden felt if they gave money to Northwestern people would stay in and eat in Roseville. The idea was to get people to eat in our restaurants and stay at our hotels, which would apply more to Bethel. She was OK with splitting the money between Bethel and ribfest.

Councilmember Rousseau agreed with splitting the money.

Mayor Grant directed staff to split the money.

5. PRESENTATION ITEMS

E. THC Moratorium and Cannabis

Assistant to the City Administrator/City Clerk Hanson stated the moratorium for THC ends on August 23. Just before this meeting she spoke with an attorney at Campbell Knutson who was tasked with following the legislative process for THC and adult cannabis. She had indicated in the memo that if a city enacted a new moratorium it could encompass both adult cannabis and lower potency edible THC products and it could be in effect until January, 2025. However, she was just told the new moratorium now cannot include the lower potency THC products. They could let the current moratorium expire and license THC until the end of the year, but they cannot roll adult cannabis into that licensing. So now there is time to discuss adult use as legal sales won't happen until the new Minnesota Office of Cannabis starts licensing in January, 2025. Council will need to decide what they'd like to do with THC products. She noted that they can zone the areas that allow THC edibles.

City Administrator Perrault added that if they move forward with a licensing program similar to tobacco, it would no longer be valid after December 31, 2023. He didn't feel the licensing route probably made sense since it would be null and void by the end of the year. Additional guidance for the zoning will be coming out and this could be brought back at a later date with zoning recommendations. He explained that after the current moratorium expires on August 22, 2023 they can no longer do anything with the low potency cannabis products such as gummies and seltzers, unless they want to include them in zoning changes..

Assistant to the City Administrator/City Clerk Hanson said the attorney wondered if we'd really want to hurry to amend the ordinance for only a couple of months, and tackle licensing language that is still a moving target. The State will license, cities will register and perform compliance checks. The League of Minnesota Cities may be providing further guidance at the end of this month.

Councilmember Monson restated that they are not talking about adult cannabis because they have time and they can't lump the THC edibles into a moratorium. As of August 23, businesses can sell edibles, but they have to follow the regulations per the State law. So, we would have between August 23 and the end of the year to do nothing, go through the process of licensing and/or zoning.

Mayor Grant stated they could start the zoning and licensing now.

Councilmember Holden said they could do a quick zoning to limit it to commercial areas so people couldn't create at-home businesses.

Assistant to the City Administrator/City Clerk Hanson explained they would want to chose a reasonable registration fee, and penalties are laid out. Businesses need to inform the city and register with the city. Compliance checks would be for THC and cannabis but they don't know if it would be done by the Sheriff's Department, or the agency that does our tobacco compliance checks.

Councilmember Monson wondered if they went the zoning route if they could do a simplified version that THC edibles can only be sold in certain areas, or if they should write a full zoning law around THC edibles plus adult cannabis.

Mayor Grant felt they should take a conservative approach and limit what they could.

Further discussion ensued. Council agreed to pursue zoning regulations for lower-potency THC edibles and directed staff to bring a draft ordinance amendment to the July work session.

A. Arden Manor Park/Floral Park Improvements

Mayor Grant stated they are over budget by more than a little bit. Council is trying to figure out if they should trim the project back or go forward with the entire project.

Councilmember Monson said they had talked about splitting off the hard court to be done in 2024 and wondered if they had looked more into that.

Public Works Director/City Engineer Swearingen said it was a possibility but the overall cost savings wouldn't be that significant because there is a cost to take it from the plan and integrate it into another plan set. The cost savings would come from the bituminous, aggregate and sand costs, with a total cost savings of around \$20,000.

Councilmember Monson thought the hard court at Arden Manor didn't look that bad.

Public Works Director/City Engineer Swearingen said the design is for a full reconstruct, which is almost like building a road. They took soil borings and the design is based off of that study. Floral Park's courts would be similar but the court is in worse condition than Arden Manor.

HR Green Project Engineer Jantscher reviewed the alternate solutions as shown in the staff memo.

Councilmember Rousseau asked if there were items that the public preferred based on the resident surveys.

Public Works Director/City Engineer Swearingen felt there was preference toward the hard courts as everyone wants pickleball. Floral Park gets used for tennis and Arden Manor gets a lot of use for basketball. The charts show the most feasible elements to remove without impacting the rest of the costs. If they didn't move forward with constructing a new shelter at Floral Park he'd still like to remove the existing shelter due to the shape that it's in.

Councilmember Holden noted the grant for Arden Manor included the shelter and playground structure.

Public Works Director/City Engineer Swearingen said that was correct, and the hard court was added to the project during design. The hard court is due for a resurfacing. They could look at a lighter solution for the surface but the next step is really some type of rehab.

Councilmember Holden thought the local government aid money they are receiving should be put into the project in 2024 and used for the hardcourt at Arden Manor but something should be done to the court in the meantime.

Councilmember Fabel thought the only way to do the entire project was to eliminate a future project but that would take away from people that were anticipating the projects to be done.

Mayor Grant agreed that they may want to consider using the LGA money toward the project. He asked if anyone had ideas of something they might want to remove.

Councilmember Rousseau said her first choice of items to remove would be the hard court and trail segment at Floral Park, and they could be put together as a new project in the future.

Councilmember Monson thought they could hold off on the Arden Manor hard court but do the hard court at Floral Park.

Councilmember Holden suggested they apply for another grant for the hard court at Arden Manor and to update the parking area.

HR Green Project Engineer Jantscher agreed they could split the work at Arden Manor into two phases, the application would be due in February.

Councilmember Fable felt they should leave Arden Manor park intact.

Councilmember Holden suggested they ask the Foundation for money for things like grills and bike racks.

Mayor Grant explained the Foundation still needs to come up with a 2023 fundraising campaign. It used to be done in combination with the Park and Rec department and they don't know if they Foundation will take over or bring the new Recreation Supervisor into it. In the past they have had some big corporate sponsors.

Councilmember Holden said she would remove the Arden Manor hard court and try to come up with the money for it somewhere else. She felt Floral Park was heavily utilized and they have been piecemealing the court together.

Councilmember Monson agreed with leaving off the Arden Manor hard court and trying for another CDBG grant.

Councilmember Fabel would remove the Floral Park hardcourt and trail.

Councilmember Rousseau liked the grant opportunity that could be applied for by February for the Arden Manor hard court but that doesn't bring them to the amount they were looking for. She felt disappointed they would take away the hard court to an underserved population but thought they could use the LGA and other funds to try to solve it.

Mayor Grant felt the Floral Park hard court needed to stay in the project as he was familiar with the condition of it. He thought they could do some upkeep to the Arden Manor court and possibly

make it playable for another year. That doesn't save a huge amount of money but it is the general consensus.

Public Works Director/City Engineer Swearingen said they would negotiate with the contractor and bring the item back to Council for approval at the next meeting with an explanation of where they are at with the contract costs.

Councilmember Fabel left the meeting at 6:27 p.m.

B. 2024 PMP Street and Utility Improvements

Bolton & Menk Principal Engineer Waltman discussed the scope of work that included pavement resurfacing, water quality infrastructure improvements, storm sewer repairs and replacement of some undersized watermain. He showed maps of the north and south sections of the project area and described the work to be done in each area, including a number of pond cleanouts and installation of sump structures.

Public Works Director/City Engineer Swearingen explained they are starting to clean out ponds along with the PMPs. Ponds are designed to be addressed every 20-25 years, and dredging is expensive so that's why they are adding the SAFL baffles to mitigate future needs for pond dredging. There are currently about a dozen installed around the lakes.

Bolton & Menk Principal Engineer Waltman further discussed the James Avenue portion of the project that included a full reclamation and watermain replacement. They will also be installing five parallel parking stalls along Royal Lane at Floral Park, and making some trail and retaining wall improvements.

Bolton & Menk Principal Engineer Waltman stated roughly 160 properties in the project area received a resident questionnaire. Sixty-six responses were received. Residents noted the trail system needed resurfacing, there were concerns over impacts to irrigation systems and dog fences, project assessments, minimizing impacts and crime during construction, driveway slopes and drainage issues.

Public Works Director/City Engineer Swearingen explained some of the work being done with drainage on certain sections of Dawn Avenue.

Bolton & Menk Principal Engineer Waltman reviewed the summary of preliminary estimated costs with a total of \$3,030,000, and how they determine their estimates.

Discussion ensued regarding special assessments.

Bolton & Menk Principal Engineer Waltman explained the process required for the assessment process including a feasibility report, engineered plans, two public hearing and competitive bids. There will be mailed notice of public hearings, resident open houses and notice of the public assessment hearing. He reviewed the project schedule and next steps.

C. Assisted Hearing Technology

City Administrator Perrault stated the Council decided not to move forward with additional action on assisted hearing technology in March. He worked with Councilmember Fabel to make some adjustments to the T-Coil machine he uses, but that didn't address the larger issue of equipment.

Councilmember Monson said if it is working as is they should leave it.

City Administrator Perrault noted whether they go with the T-Coil, wireless or hip pack, it only solves the issue if people speak into the microphones.

Mayor Grant thought they should give it some time to see if the issue was resolved.

Councilmember Holden said she can't hear Councilmember Rousseau next to her sometimes.

Mayor Grant said they did turn up the microphones at the last meeting. He also sometimes has trouble hearing Councilmembers Monson and Rousseau.

Councilmember Monson felt they could all speak into their microphones better.

Councilmember Rousseau suggested they bring this back up in a couple of months and see if the situation has resolved itself.

Mayor Grant directed staff to bring the item back for more discussion in August.

D. Water Meter Replacement and Lead/Copper Inventory

Public Works Director/City Engineer Swearingen stated the brass of water meters are aging and they are looking at doing a full replacement throughout the city. There has been a budget placeholder in the CIP to account for the costs of the project. It was discussed at a work session last year and Council requested it be brought back again in about year to see how the meters are doing. The EPA requires a lead and copper inventory, so if they move forward with the project they will tie the two together. If they don't move forward with meter replacement, staff will have to figure out an alternative to collecting the data for the EPA. Staff would like direction on whether or not they should move forward with the water meter replacement which would involve replacing brass components of the meter body and replacement of the meter. There has been an increase of failures of the reading system. They are at about 4% water loss which is a good number to see, meaning the accuracy of the bodies themselves seem to be doing well. He wasn't sure if there would be a tipping point where that number would suddenly increase, so they are continuing to monitor it.

Public Works Director/City Engineer Swearingen said they track the City water usage for each truck load and hydrant flushing usage is estimated.

Mayor Grant thought they had the connection type information from some source.

Public Works Director/City Engineer Swearingen said he has heard they do but he hasn't seen it.

Councilmember Holden thought there was some information gathered by WSB that should be available to use.

Public Works Director/City Engineer Swearingen felt the meter readers are starting to indicate an increase in failures, they could go another year to see what the numbers are for 2023, but he would highly recommend they switch out the readers.

City Administrator Perrault added they anticipated doing the consultant work in 2024 and the actual roll out in 2025.

Public Works Director/City Engineer Swearingen noted that if Council wanted to be proactive they could begin the process this year. The EPA report needs to be completed by October, 2024.

Discussion continued regarding gathering information for the EPA, radio signals and current troublesome meter readings.

Mayor Grant directed staff to get back to the Council after they looked for the WSB information.

Public Works Director/City Engineer Swearingen said he would wait on hiring a consultant until they were absolutely sure they were moving ahead with replacements, just because of how fast technology changes. He could bring the item back in June, 2024 to hire a consultant, and begin replacement in fall of 2024 with completion in the winter of 2025.

6. PULLED ITEMS FROM INFORMATIONAL

A. Data Practices Policy Review

Councilmember Monson asked for an explanation of the process of what happens when a data request is made.

Assistant to the City Administrator/City Clerk Hanson said the Council generally wouldn't find out about a data request unless it was about them. Requests range from building permits, planning cases, employee wage requests, and rental registration. Requests usually come in through the City's website and are directed to admin staff. Requests are tracked by year. There have only been a few that involve the Council.

City Administrator Perrault added that if they got a data request for Council information, it would be forwarded to him and he would send it to the Council so they're aware of it. He would work with councilmembers to get the information. Request are filled within a reasonable amount of time, generally within 10 days, depending on how complicated they are. Personnel type data requests someone makes about themselves have a deadline of 10 days.

Councilmember Holden asked if the statute listed in red was the full statute or just a part of it.

Councilmember Rousseau responded that the red was pulled up from another section to make it read easier.

Assistant to the City Administrator/City Clerk Hanson said some of the red could be new language, or expanded on what was previously there.

Councilmember Holden was concerned that what was in red wasn't the whole statute but implies that it is the language. Before there was a definition that explained it wasn't really what the statute said.

Assistant to the City Administrator/City Clerk Hanson said they could add "for full statute visit ...".

Councilmember Rousseau requested several other small changes.

Assistant to the City Administrator/City Clerk Hanson asked if Council wanted her to bring this forward to the Council in July each year.

Mayor Grant directed staff to put it on the consent calendar each year so they could formally vote on it.

Assistant to the City Administrator/City Clerk Hanson added that most changes would come from the attorney's office or the League of Minnesota Cities.

City Administrator Perrault mentioned that the city attorney isn't aware of any city that reviews their policy annually, but they should have Council acknowledge it each year.

7. COUNCIL/STAFF COMMENTS

Councilmember Holden asked if there was a way to link to the JDA information.

City Administrator Perrault said the link is on the front page of the website, on a newsflash. They could put a link in the newsletter. It will also be on agendas for the TCAAP updates at Council.

Councilmember Holden said they changed the light to blinking yellow on Hwy 10/96.

City Administrator Perrault said it should still be a solid red during working hours, after 8 p.m. it should be flashing yellow.

Public Works Director/City Engineer Swearingen thought it was solid red during morning rush hour and then goes back to yellow flashing. He thought it went back to red again for the afternoon rush. He can forward a letter he received about it.

Councilmember Holden felt there are kids going to summer school and sports and the City should have some say in it.

Councilmember Rousseau stated they had received the Comprehensive Financial Report at the last Council meeting and the Parks and Rec spending is about 50% less than some other cities. She was wondering if staff could pull nearby cities without community centers financial reports to see what their spending is versus ours.

Cities suggested by Council were Lauderdale, Falcon Heights, and Little Canada.

Councilmember Holden stated when they looked at programs they wanted to know how much the City was willing to subsidize the programs for, they came upon 80/20, hoping some events would make more to subsidize other programs.

Mayor Grant asked if she was looking at personnel costs or programs costs.

Councilmember Rousseau said she was thinking of starting with their overall financial reports at a high level and see if there were any patterns they wanted to dig deeper into.

Councilmember Holden said they also have to look at neighborhoods as many people use Roseville or Shoreview programs.

Mayor Grant added they'd need to ask if they have a separate parks department, or if it was bundled in with O&M.

Councilmember Holden said they used to have it split where O&M had people dedicated to the parks.

City Administrator Perrault thought her question was directed at Recreation; Parks spending would include parks maintenance – mowing lawns, replacing equipment etc. and wouldn't target what the Recreation department would be spending on programs and seasonal employees.

Councilmember Rousseau asked if they could break it down to recreational.

Councilmember Rousseau noted she would not be available to attend the next City Council meeting.

Councilmember Rousseau reported the PTRC had an action recommendation to put a buckthorn project into place, so it will be coming to the next work session for discussion.

Councilmember Monson wondered if anyone had looked into the port-a-potties at the parks being ADA compliant and family friendly.

Councilmember Rousseau said they had not.

Public Works Director/City Engineer Swearingen said some of the shade structures were built to have single units but some of the newer structures were built to have the ADA style units.

Mayor Grant said on Old 10 there is a sign that says the project will be completed by November 1. At one point they were told it would be completed by the school year starting, so he wondered what the definition of completed was for the roundabout and road project.

Public Works Director/City Engineer Swearingen replied the intent was to have the roundabout open for traffic in all directions by school start, that is still the milestone. Final paving would be done by November 1, or before the asphalt plant shut down for the season. The stretch of roadway from the roundabout toward Highway 96 will be paved toward the end of the project and tied into the roundabout. There will be flagging operations during the paving process.

City Administrator Perrault stated he had sent Council a note today regarding bonding requests that were submitted on Friday. They need make revisions on a tighter timeline than originally thought and they will need to pass a resolution of support for them.

Discussion ensued about the bonding requests.

City Administrator Perrault mentioned that there will be a bag pickup on July 24 at City Hall for neighborhood Night to Unite block parties that coincides with a scheduled EDA meeting. They are currently planning to cancel the EDA meeting.

ADJOURN

Mayor Grant adjourned the City Council Work Session at 8:06 p.m.

Jolene Trauba
Deputy City Clerk

David Grant
Mayor