



Approved: April 26, 2021

**CITY OF ARDEN HILLS, MINNESOTA
REGULAR CITY COUNCIL MEETING
APRIL 12, 2021
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. Due to the COVID-19 pandemic this meeting was held virtually.

Present: Mayor David Grant, Councilmembers Brenda Holden, Fran Holmes, Dave McClung and Steve Scott

Absent: None

Also present: City Administrator Dave Perrault; Interim Public Works Director David Swearingen; Finance Director Gayle Bauman; and City Clerk Julie Hanson **present via telephone:** Nick Amatuccio, Bolton & Menk

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

Councilmember Scott requested Item 6A be pulled from the Consent Agenda for discussion as Item 7A.

MOTION: **Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the meeting agenda as amended. A roll call vote was taken. The motion carried unanimously (5-0).**

2. PUBLIC INQUIRIES/INFORMATIONAL

Gregg Larson, 3377 North Snelling Avenue, explained he was more confused than ever regarding how the City Council entertains public comments. He stated he would like to speak to Item 9C, but because it was not a public hearing, the Council would not take comments regarding this particular topic.

Mayor Grant explained Item 9C, if approved by the Council would set a public hearing for this item and the residents would then be allowed to speak to this matter on April 26, 2021.

Scott Prihoda, 1977 Gerald Avenue, commented he was trying to understand if the Council would allow for later public comment on Item 9C.

Mayor Grant explained the Council would be setting a public hearing date at which point the City Council would be taking comments from residents. He stated that Mr. Prihoda would be allowed to make comments under Item 8A since he was within the 2021 Street and Utility Improvement Project Area.

3. RESPONSE TO PUBLIC INQUIRIES

None.

4. STAFF COMMENTS

A. COVID-19 Update

City Administrator Perrault provided the Council with an update on how the City was responding to COVID-19. He encouraged residents to visit the City's website for the most current and up to date information regarding COVID-19. He reported the Minnesota Department of Health and CDC also had websites with current guidelines and recommendations. He explained the City of Arden Hills remains in a peacetime state of emergency and City Hall will remain closed until further notice. He indicated City staff remains operational and can be reached via phone or email. He encouraged residents to monitor the rollout of the COVID vaccine as rules were changing frequently. He reported the City Council would be receiving an update on COVID operations at their next worksession meeting.

5. APPROVAL OF MINUTES

- A. March 15, 2021, City Council Work Session
- B. March 15, 2021, Special City Council
- C. March 22, 2021, Special City Council Work Session
- D. March 22, 2021, Regular City Council

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the March 15, 2021, City Council Work Session meeting minutes, March 15, 2021, Special City Council meeting minutes, March 22, 2021, Special City Council Work Session meeting minutes; and March 22, 2021, Regular City Council meeting minutes as presented. A roll call vote was taken. The motion carried unanimously (5-0).

6. CONSENT CALENDAR

- ~~A. Motion to Approve Consent Agenda Item Claims and Payroll~~
- B. Motion to Authorize the City Administrator to Send Letter to Lake Johanna Fire Department Regarding Entering into Closest Unit Agreement with Vadnais Heights Fire Department

- C. Motion to Approve Resolution 2021-017 In Support of Arden Manor Improvements Community Development Block Grant Application
- D. Motion to Approve Payment No. 4 and Authorize Change Orders Nos. 3 and 4 – Air Express, Inc. – City Hall HVAC Replacement Project
- E. Motion to Authorize Purchase of Public Works Equipment (Portable Message Board, Portable Light Tower, and 3 Mowers)
- F. Motion to Approve Resolution 2021-018 Accepting Bid and Authorizing Award of Contract to Pember Companies, Inc. – Karth Lake Runoff Project
- G. Motion to Approve Resolution 2021-019 Accepting Bid and Authorizing Award of Contract to Pember Companies, Inc. – Hamline Avenue Crosswalks and Shorewood Drive Drainage Improvements Project
- H. Motion to Approve Development Agreement and Memorandum of Understanding with Kensington Development for Construction of Temporary Signal On Lexington Avenue at Target South Access Road – PC 21-004

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the Consent Calendar as amended removing Item 6A and to authorize execution of all necessary documents contained therein. A roll call vote was taken. The motion carried unanimously (5-0).

7. PULLED CONSENT ITEMS

A. Motion to Approve Consent Agenda Item - Claims and Payroll

Councilmember Scott commented on three items within Claims and Payroll that were for mileage reimbursement. He questioned if this activity was related to official City training or conferences.

Finance Director Bauman explained the Public Works Union training was conducted up in Hinkley, Minnesota. She reported the mileage was for the trips back and forth to Hinkley for training.

Councilmember Holden asked if all of the liquor license fees had been refunded to local license holders.

Finance Director Bauman stated all refunds had been issued.

MOTION: Councilmember Scott moved and Councilmember Holmes seconded a motion to approve Claims and Payroll as presented. A roll call vote was taken. The motion carried (5-0).

8. PUBLIC HEARINGS

A. 2021 PMP Street and Utility Improvements Project Draft Special Assessment Roll

Nick Amatuccio, Bolton & Menk, stated on January 25, 2021, the City Council adopted Resolution 2021-004 Approving the Plans and Specifications and Ordering the Advertisement for Bids. Bids were solicited during February and opened on Wednesday, February 24, 2021. A portion of the costs for the 2021 PMP Street and Utility Improvement Project are proposed to be assessed against the benefitting properties according to the City's Assessment Policy. In order to assess these costs, the City must follow the process outlined in State Statute 429. On March 8, 2021, after the bids were opened, the City Council adopted Resolution 2021-013 Declaring Costs to be Assessed and set today as the date for the assessment hearing. A public hearing prior to adopting the assessments is a requirement of State Statute 429.

Mr. Amatuccio reviewed the total projects costs and explained the project is proposed to be assessed consistent with the City's Assessment Policy and past practices, which states that 50% of the costs for roadway improvements will be assessed in residential areas, with the remaining portion financed by City funds. Financing for the project is consistent with City policy and past practice and was further summarized. The project costs include 27% engineering and overhead costs. He commented further on the assessment payment process and recommended the City Council hold a public hearing.

Councilmember Holden asked when interest would begin to accrue and questioned what the interest rate would be.

Mr. Amatuccio explained the interest would begin tonight, noting there was a 30 day grace period when interest was not applied. He noted the interest rate would be 3.15%.

Finance Director Bauman reported the interest rate was set at 2% over the current bond rate.

Mayor Grant stated street reconstruction assessments were for a 10 year period. He inquired if street reclamation was also over a 10 year period.

Finance Director Bauman stated this was the case.

Mayor Grant opened the public hearing at 7:31 p.m.

Scott Prihoda, 1977 Jerrold Avenue, thanked Interim Public Works Director Swearingen for answering his questions. He thanked staff for clarifying some of the payment information. He asked if residents wanted to pay in full prior to accruing interest, if notification would be sent on how to accomplish this.

City Clerk Hanson explained a secondary bill was not sent to residents but rather this notification was on the official notice of the assessment.

Mr. Prihoda questioned how he would make his assessment payment.

City Clerk Hanson reported residents could mail a check or stop by City Hall to make payment on their assessment.

Mr. Prihoda suggested the City provide more clarity on how payments are made for future assessments, especially given the COVID-19 environment.

Tracy Timp, 1901 Jerrold Avenue, stated she received a notice from the City last week regarding the timeline of the 2021 street improvement project. She understood that Gerald Avenue would be done during the State Fair. She discussed how this would impact bus traffic and State Fair parking at the church. She suggested Gerald Avenue be done earlier in the summer.

Mayor Grant commented this may need to be reassessed once more is known about the State Fair.

Councilmember Holden explained she was not part of the 2021 Street Improvement project area. She then discussed how this neighborhood was impacted by State Fair parking and stated this was a major problem that the City would have to consider. She recommended no State Fair parking be allowed in this neighborhood this year and that the church and State Fair be notified.

Mayor Grant supported this recommendation and thanked Ms. Tim for bringing this concern to the City Council's attention.

Mr. Prihoda suggested the neighborhood be given some sort of permit and that these permits be enforced by the City.

Mayor Grant thanked Mr. Prihoda for the suggestion.

City Administrator Perrault explained the City Council would be discussing State Fair parking at a May worksession meeting.

Mayor Grant closed the public hearing at 7:45 p.m.

9. NEW BUSINESS

A. Resolution 2021-020 Adopting Special Assessment Roll – 2021 PMP Street and Utility Improvement Project

Nick Amatuccio, Bolton & Menk, requested the Council adopt a Resolution approving the special assessment roll for the 2021 PMP Street and Utility Improvement Project.

Mayor Grant commented it may benefit the City to send out a second notification to residents after the special assessment roll is approved regarding payment information, given the fact these were COVID times. He stated the timeline for the project could be explained and parking concerns could be addressed.

Councilmember Holden recommended these letters be specific to the resident because some projects were restoration and others were reclamation. She reported she was very pleased to see the favorable bid results the City received for this project.

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to adopt Resolution No. #2021-020 Adopting the Assessment Roll for the 2021 PMP Street and Utility Improvement Project. A roll call vote was taken. The motion carried (5-0).

B. Resolution 2021-021 Accepting Bid and Authorizing Award of Contract to C & L Excavating, Inc. – 2021 PMP Street and Utility Improvement Project

Nick Amatuccio, Bolton & Menk, stated on January 25, 2021, the City Council adopted Resolution 2021-004 Approving the Plans and Specifications and Ordering the Advertisement for Bids. Bids were opened on Wednesday, February 24, 2021. There were a total of eleven bids received. The bids were reviewed with the Council. It was noted the low bid is lower than the Engineer's Estimate which is \$3,234,599.50. C&L Excavating has completed similar projects successfully in the metro area. Staff reviewed a letter from Bolton & Menk recommending award to C&L Excavating, Inc. as the lowest responsible/responsive bidder. Staff recommended approval of Resolution 2021-021 awarding the 2021 PMP Street and Utility Improvements to C&L Excavating, Inc. in the amount of \$2,704,412.10.

Mayor Grant asked if Mr. Amatuccio has any experience working with C&L Excavating.

Mr. Amatuccio stated he did not have any personal experience, but noted Bolton & Menk has successfully worked with this company in St. Louis Park, Zimmerman and Annandale. He indicated he has only heard good things about this company.

Councilmember Holden encouraged staff to watch over the type of soil that was used to fill in and complete the City right of way. She wanted to see good pulverized black dirt brought in.

Mr. Amatuccio reported materials testing would be completed to make sure the organic content within the soil was being met for this work in order to allow for the growth of sod.

Councilmember Holmes stated this was a big complaint in her neighborhood. She noted the soil that was used was terrible.

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to adopt Resolution No. #2021-021 Awarding the 2021 PMP Street and Utility Improvements to C&L Excavating, Inc. in the amount of \$2,704,412.10.

Councilmember Holmes asked if the City had moved from seeding to sod for the boulevard areas.

Interim Public Works Director Swearingen stated during the design phase different options were considered for boulevard restoration and it was found to be within the budget to upgrade to sod replacement.

A roll call vote was taken. The motion carried (5-0).

C. Resolution 2021-022 Receiving Feasibility Report and Call for a Public Hearing – Old Snelling Avenue North and County Road E Street and Utility Improvements Project

Interim Public Works Director Swearingen stated on August 26, 2018, the City Council adopted Resolution 2019-026 ordering the preparation of a feasibility report for the 2020 pavement management program. The proposed improvements included Old Snelling Avenue from approximately Arden Oaks Drive to Trunk Highway 51 and County Road E from Ridgewood Road to Pascal Avenue.

Interim Public Works Director Swearingen reported the feasibility report describes proposed street and utility improvements organized into two separate areas. Area 1 involves improvements to the 4,300-ft long segment of Snelling Avenue North located south of County Road E as well as street improvements to Cummings Lane and the intersection at Bussard Court. Area 2 involves improvements to the intersection of Snelling Avenue North at County Road E. Given Ramsey County has rescheduled these intersection improvements to 2023 in their Transportation Improvement Plan (TIP), it is recommended further traffic studies and analysis be conducted in the interim. In accordance with Council direction, a Feasibility Report has been prepared that details the proposed improvements, neighborhood impacts, estimated costs and financing for the proposed project.

Interim Public Works Director Swearingen explained a significant portion of the report is focused on an analysis of two design alternatives for Snelling Avenue North extending to the south of County Road E (Area 1). Alternative 1 consisting of road improvements that include the addition of a pedestrian trail along the west side of the roadway. Alternative 2 consists of roadway improvements that exclude the trail construction, but maintains 8-foot wide paved shoulders along the length of the road.

Interim Public Works Director Swearingen commented based on the December 21, 2020 Work Session discussions, the City Council requested staff to consider additional measures that could be incorporated into the design for Alternative 2 to provide additional safety measures for pedestrians using the west shoulder area. Six additional strategies were added to page 13 and page 14 of the feasibility report and it states that these strategies should be further developed during the design process. Since the last Work Session, additional Public comments have been added to Appendix J. The recommendations are outlined in section 7 of the feasibility report.

Interim Public Works Director Swearingen recommended approval of Resolution 2021-022 which receives the feasibility report and orders the public hearing be held on April 26, 2021 in order to have this project proceed to a public hearing. If adopted, staff would mail notices to each property owner in the proposed assessment area stating the time of the hearing, the general nature of the improvements, the estimated project cost, the proposed assessment area, and an estimate of the assessment amount.

Mayor Grant commented on the soil borings that were taken and asked if there was concrete under the roadway.

Interim Public Works Director Swearingen stated the soil borings show that there was no concrete under the roadway.

Councilmember Holden expressed concern about Cummings Lane and the draining concerns along this roadway.

Interim Public Works Director Swearingen reported within the feasibility report the storm improvements along Cummings Lane were addressed. He noted the stormwater improvements along Cummings Lane would be the responsibility of the City.

Councilmember Holden encouraged staff to speak with MnDOT regarding the stormwater basins in this area. She feared the drainage from Cummings Lane would spill over to the MnDOT system and flooding would continue to occur.

Interim Public Works Director Swearingen indicated he would speak with MnDOT in order to coordinate efforts on the stormwater for this area.

Councilmember Holden questioned if there would be examples of the trail types at the public hearing.

Interim Public Works Director Swearingen stated he would have this information and full schematic drawings for the trail options at the public hearing.

Councilmember Holmes asked if the reclamation work would be able to work with the varying levels of pavement on the roadway.

Interim Public Works Director Swearingen reported this was the case.

Councilmember Holmes discussed the cost for the project and asked if costs would be received for Alternate 1 and Alternate 2.

Interim Public Works Director Swearingen stated staff would be presenting estimated costs for these items at the public hearing.

Councilmember Holden supported the Council receiving cost estimates for Alternate 1 and Alternate 2.

Councilmember McClung agreed.

Councilmember Holmes asked if the assessment of the road would be the same whether the City went with Alternate 1 versus Alternate 2.

Interim Public Works Director Swearingen commented with the reconstruction the assessment values would go up.

Councilmember Holmes explained this was something that should be sent to residents prior to the City Council meeting on April 26, 2021.

City Administrator Perrault reported the upcoming public hearing would be for the project and not necessarily for the assessments. He clarified the assessment hearing would be held at a later date.

Interim Public Works Director Swearingen discussed how the 2021 PMP was completed by the City and how decisions were made regarding Prior Avenue in order to estimate assessment values. He stated he did not see an issue providing the Council with a range for the prices for Alternate 1 and Alternate 2.

Finance Director Bauman commented on Table 5 within the packet. She clarified the estimated special assessments between Alternate 1 and Alternate 2 do not change.

Interim Public Works Director Swearingen explained Alternate 1 was reconstruction and Alternate 2 was reclamation.

Finance Director Bauman stated this would mean Table 5 was incorrect.

Mayor Grant recommended staff crunch the numbers and make the residents aware of the differences in Alternate 1 and Alternate 2 prior to the April 26, 2021 City Council meeting. He asked if staff would be able to complete this work in time for the meeting.

Interim Public Works Director Swearingen stated he would have the work done in time.

Councilmember Holmes recommended a period be placed after the reference to Chapter 429 within the Resolution and that the rest of the sentence be struck.

Councilmember Holden supported this recommendation.

MOTION: **Councilmember Holmes moved and Councilmember Holden seconded a motion to adopt Resolution No. #2021-022 Receiving the Feasibility Report and Ordering the Public Hearing to be held on April 26, 2021, for the Old Snelling Avenue and County Road E Improvements amending the first therefore clause ending the sentence after Chapter 429. A roll call vote was taken. The motion carried (5-0).**

10. UNFINISHED BUSINESS

None.

11. COUNCIL COMMENTS

Mayor Grant reported the governor has issued a curfew for tonight from 7:00 p.m. until 6:00 a.m. for Hennepin, Ramsey and Anoka counties.

Councilmember Scott recommended the content or information included in City notifications be clarified before letters are sent. He noted recent letters sent to the public have had errors and requested staff verify all information included in these letters prior to being sent out.

Councilmember Scott stated he would like the Council to address local speed limits at an upcoming work session.

Councilmember McClung discussed the pothole repair and street maintenance that would occur this spring. He asked if staff had a schedule for these repairs and suggested the public bring any areas of concern to City staff's attention.

Interim Public Works Director Swearingen stated he would post this information on the City's website. He noted the preliminary patching would be done this spring and would be completed by the first or second week of May.

Councilmember Holmes commented there was a delay in chicken ordinance but noted the Council would be getting back to this issue this spring.

Councilmember Holmes recommended the City Council address food trucks at a future worksession meeting.

Councilmember Holden asked if all potholes will be filled or only the large ones.

Interim Public Works Director Swearingen stated the plan was to fill all potholes.

Councilmember Holden discussed the block grant that was received for Arden Manor and suggested educational recreational equipment be considered for this park.

Mayor Grant commented on the pothole filling that occurred last year and requested the potholes in the City not become speed bumps this year.

City Administrator Perrault reported staff may not be able to address food trucks at a worksession meeting until May.

ADJOURN

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to adjourn. A roll call vote was taken. The motion carried unanimously (5-0).

Mayor Grant adjourned the Regular City Council Meeting at 8:48 p.m.

Julie Hanson
City Clerk

David Grant
Mayor