



DRAFT

Approved: April 11, 2022

**CITY OF ARDEN HILLS, MINNESOTA
REGULAR CITY COUNCIL MEETING
MARCH 14, 2022
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.

Note: On January 12, 2022 the Mayor signed a determination allowing Councilmembers to participate in City Council meetings via telephone pursuant to State Statute 13D.021

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

Absent: None

Also present: City Administrator Dave Perrault; Public Works Director/City Engineer David Swearingen; Finance Director Gayle Bauman; City Planner Jessica Jagoe; Assistant Public Works Director Lucas Miller; and City Clerk Julie Hanson

1. APPROVAL OF AGENDA

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

2. PUBLIC INQUIRIES/INFORMATIONAL

None.

3. RESPONSE TO PUBLIC INQUIRIES

A. Public Inquiry Response from February 14, 2022 City Council Meeting

Public Works Direct/City Engineer Swearingen provided the Council with a response to the public comment regarding the proposed intersection improvements at Old Snelling Avenue and County Road E. He reported this project was being led by Ramsey County and the work would be completed in 2023. He stated a roundabout was determined to be the best option for this

intersection after multiple studies. He explained the County was supportive of moving forward with a roundabout.

B. Public Inquiry Response from February 14, 2022 City Council Meeting

City Administrator Perrault stated a resident asked what data the City had to show that some intersections would be adversely impacted if there was too additional density on TCAAP. He discussed how traffic patterns may have changed in Arden Hills with the new developments that have occurred in Arden Hills and surrounding communities. He commented on how the AUAR had not determined what type of development or retailers will occupy sites, and how different retailers could have significantly different outcomes. Further discussion ensued regarding how new development on may TCAAP impact traffic at the intersections surrounding the development and could have unforeseen consequences.

4. STAFF COMMENTS

None.

5. APPROVAL OF MINUTES

- A. February 14, 2022, Regular City Council
- B. February 14, 2022, City Council Work Session

MOTION: Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the February 14, 2022, Regular City Council meeting minutes; and February 14, 2022, City Council Work Session minutes as amended. A roll call vote was taken. The motion carried (5-0).

6. CONSENT CALENDAR

- A. Motion to Approve Consent Agenda Item - Claims and Payroll
- B. Motion to Approve Resolution 2022-009 Designating Polling Places for the 2022 State Primary and State General Election
- C. Motion to Approve Cancellation of March 28, 2022 City Council Meeting
- D. Motion to Acknowledge the Application of Fishing for Life for an Exempt Permit to Conduct a Raffle with the Drawing being April 9, 2022 with No Waiting Period
- E. Motion to Approve City Clerk Position Upgrade
- F. Motion to Approve Resolution 2022-010 Accepting Donation from the Spring Lake Park Lions Club
- G. Motion to Approve Resolution 2022-011 Accepting Donation from Arden Hills Foundation
- H. Motion to Approve Amended Facilities Operation, Maintenance and Easement Agreement – Scannell Properties, LLC – Planning Case 2021-025
- I. Motion to Approve Payment No. 1 – Vinco, Inc. – Lift Station 10 Rehabilitation Project
- J. Motion to Approve Resolution 2022-012 Appointing Parks, Trails and Recreation Committee (PTRC) Member Mark Kelliher
- K. Motion to Accept City Administrator Four-Year Performance Evaluation

MOTION: Councilmember Radziej moved and Mayor Grant seconded a motion to approve the Consent Calendar as presented and to authorize execution of all necessary documents contained therein. A roll call vote was taken. The motion carried (5-0).

7. PULLED CONSENT ITEMS

None.

8. PUBLIC HEARINGS

None.

9. NEW BUSINESS

A. Resolution 2022-013 Declaring Costs to be Assessed, Ordering the Preparation of Proposed Assessments and Calling for a Public Hearing – Arden Oaks Street Improvement Project

Larry Poppler, TKDA, stated on February 14, 2022, the City Council approved plans & specifications and ordered advertisement for bids for the Arden Oaks Street Improvement Project located within the Arden Oaks residential neighborhood. The proposed improvements include bituminous paving, storm water improvements, concrete curb and gutter repair, and appurtenant work on Arden Oaks Drive from Snelling Avenue North to County Road E and Arden Oaks Court. Pursuant of Resolution 2022-006, bids were opened on March 9, 2022, after receiving 9 bids for the project. The four lowest bids were reviewed with the Council.

Mr. Poppler reported the low bid of \$520,377.70, received from Astech Corporation, compares favorably with the construction engineer's estimate which is \$538,607. Further analysis of the low bid by adding overhead, the total project cost for the street improvements is \$466,746.84. The total project costs were then used for the assessable cost which, as described in the City's Assessment Policy, is half of the street project cost for residential properties. The results of this analysis show an Assessment Rate of \$5,834.34 per unit as compared to the Engineer's estimate of \$6,131.10. The project timeline was reviewed in detail with the Council and staff recommended approval of the Resolution.

Councilmember Scott asked if the interest rate for the assessments would be know prior to the assessment hearing.

Finance Director Bauman discussed the current bond and prime rate, stating staff will have these numbers for the Council to review at the assessment hearing.

Councilmember Holden questioned if a contractor could pull their bid given the rising price of oil. She feared that if the contractor were to pull out this would impact the assessment rates.

Mr. Poppler reported the contractor would have to provide a 5% bid bond so if they were to pull out, the City would have the right to pull funds out of the bid bond. He explained the City was

declaring the cost to be assessed tonight which meant the amount could be lower but could not be higher.

Councilmember Radziej discussed his understanding of how bonds and bid bonds worked in further detail.

Councilmember Holden expressed concern that the contractor could walk away from the project and the City would then be stuck scrambling to find a contractor to finish the project and that the assessments would then increase due to a new contractor with a new bid price.

Mr. Poppler stated once a contractor was locked into a bid bond, the contractor finished a project to completion.

Councilmember Holden questioned what would happen if staff were to receive unfavorable comments from the references for the low bidder.

Public Works Direct/City Engineer Swearingen stated the Council could reevaluate the bids at that time and noted there was a \$2,000 difference between the low bidder and the next lowest bidder.

Councilmember Holmes believed that Councilmember Holden had brought up some good points and she would like to know more about how the bonding works. In addition, given the volatility of the oil market, perhaps the Council should have the City Attorney clarify the situation and provide information on what would happen if the contractor were to back out.

Councilmember Holden explained if this matter were to move forward, the Council would be taking the low bid and while there is only a \$2,000 difference for the Arden Oaks project, there was a \$20,000 difference for the Snelling Avenue project. She suggested the date for the Assessment Hearing be set but that the Council hold a meeting prior to the work session to allow for further discussion on the concerns that were raised.

Mayor Grant asked if the Council would be holding a short City Council meeting after the next work session.

City Administrator Perrault reported this was the case.

Councilmember Scott questioned how many bids the City received for this project.

Mr. Poppler reported the City received nine bids.

Councilmember Holden inquired if the Council were to table this for one week if staff would have enough time to investigate this matter further.

City Administrator Perrault believed staff would have enough time to get these answers for the Council by next Monday.

MOTION: Councilmember Holden moved and Mayor Grant seconded a motion to table action on Resolution #2022-013 for the Arden Oaks Street Improvement Project to the March 21, 2022 Special City Council meeting. A roll call vote was taken. The motion carried (5-0).

B. Resolution 2022-014 Declaring Costs to be Assessed, Ordering the Preparation of Proposed Assessments and Calling for a Public Hearing – Snelling Avenue North Street & Utility Improvement Project

Brad Fisher, Bolton & Menk, stated on February 14, 2022, the City Council approved plans & specifications and ordered advertisement for bids for the Snelling Avenue North Street and Utility Improvement Project located along Snelling Avenue North from Trunk Highway 51 to County Road E, Cummings Lane, and Bussard Court from Snelling Avenue North to 100-Foot West of Snelling Avenue North. The proposed improvements include bituminous paving, curb and gutter installation, storm water improvements, watermain improvements, sanitary sewer improvements and construction of a 10- foot wide bituminous trail along the west side of the entire length of Snelling Avenue North. Pursuant of Resolution 2022-005 bids were opened on March 9, 2022. 4 bids for the project were received were reviewed with the Council.

Mr. Fisher reported the low bid of \$1,277,585.49, received from T.A. Schifsky & Sons, Inc., compares favorably with the construction engineer’s estimate which is \$1,289,000. Further analysis of the low bid; adding overhead and dividing it into the costs for Snelling Avenue North and Cummings Lane project areas results in the following street project costs:

- \$675,612 Total Street Cost for Snelling Avenue North
- \$62,176 Total Street Cost for Cummings Lane

Mr. Fisher described how the Snelling Avenue and Cummings Lane assessments were calculated. He explained Snelling Avenue North assessment rate of \$3,905.00 per unit as compared to the Feasibility Report estimate of \$5,631.88. The assessments related to Cummings Lane are calculated in accordance with the City’s Assessment policy, is half of the street project cost for residential properties. Cummings Lane assessment rate of \$3,886.00 per unit as compared to the Feasibility Report estimate of \$4,870.85. The timeline for the project was reviewed with the Council and staff recommended approval of the Resolution.

Councilmember Holden asked what provisions were made to keep water from flooding the homes at the end of Cummings Lane through the reconstruction of this roadway.

Mr. Fisher reported erosion control and sediment management provisions were written into the contract.

Mayor Grant questioned if the Council wanted to move forward with this project or table it to next week.

Mr. Fisher stated the difference between this project and the other project was that this project was originally slated to come before the Council for an Assessment Hearing on April 11th and a delay in getting notices out by one week would push the hearing out further.

City Administrator Perrault explained if this matter were tabled, the item would not come before the Council until the April 25th regular Council meeting.

Councilmember Holden questioned how many change orders the City received for last year's street improvement project.

Public Works Director/City Engineer Swearingen explained the City only had one change order for that project.

Mayor Grant inquired what action the Council would like to take on this item.

Councilmember Scott reported the Council has worked with this consultant in the past and noted he was comfortable with moving this item forward tonight.

Councilmember Holden agreed stating T.A. Schifsky & Sons has done a great deal of business in the City previously.

MOTION: **Councilmember Holden moved and Councilmember Radziej seconded a motion to adopt Resolution #2022-014 – Declaring Costs to be Assessed and Ordering the Preparation of the Proposed Assessments and Calling for a Public Hearing on the Proposed Assessments for the Snelling Avenue North Street and Utility Improvement Project. A roll call vote was taken. The motion carried (5-0).**

10. UNFINISHED BUSINESS

None.

11. COUNCIL COMMENTS

Councilmember Scott congratulated and welcomed Mark Kelliher to the PTRC Committee.

Councilmember Scott explained he attended the Ramsey County League of Local Government meeting last Friday where this group discussed the value of embedded mental health personnel.

Councilmember Scott thanked the Arden Hills Foundation for donating \$500 for Parks and Recreation programming.

Councilmember Scott congratulated City Clerk Hanson for becoming the Assistant to the City Administrator as this was a promotion well deserved.

Councilmember Scott commented on Saturday he attended a virtual Change of Command Ceremony for the 34th Infantry. He welcomed Brigadier General Charles Kemper to the Red Bulls.

Councilmember Holmes congratulated City Clerk Hanson on her promotion to the Assistant to the City Administrator.

Councilmember Holmes thanked the Spring Lake Park Lions and the Arden Hills Foundation for their generous donations to the City.

Councilmember Holmes thanked Mark Kelliher for volunteering to serve on the PTRC.

Councilmember Holmes noted she also attended the Ramsey County League of Local Government meeting last Friday where this group discussed the value of embedded mental health personnel and social workers. She stated she found this meeting to be very interesting and useful.

Councilmember Holmes commented the recent City newsletter had information regarding upcoming citizen meetings regarding food trucks and speed limits. She encouraged residents to provide the City Council with information regarding these two topics.

Councilmember Holden stated she would like to see something special done with the Spring Lake Park Lions Club money.

Councilmember Holden explained when the Council discusses the roundabout at the upcoming work session, she would like to see a video that shows how pedestrians navigate through a roundabout. She recommended this video be posted on the City's website for the public.

Councilmember Holden asked for a wrap up or final tally of funds that were spent on Glen Paul. She requested staff also provide the Council with a map on the pipes that have been lined in the City. In addition, she asked staff to provide the Council with information on the condition of the City's lift stations.

Mayor Grant reported the Council would be discussing the Lions Club donation at the March 21 work session. He thanked the Spring Lake Lions Club for their generous donation and he looked forward to seeing how the City would utilize these funds.

Mayor Grant thanked Mark Kelliher for his willingness to serve on the PTRC.

Mayor Grant commended City Clerk Hanson for her dedicated service to the City of Arden Hills and congratulated her on her promotion.

Mayor Grant explained Arden Hills was included in a bill that was sponsored by the Metropolitan Council for I&I costs.

Councilmember Holden requested street maintenance be discussed that the March 21 work session.

ADJOURN

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

Mayor Grant adjourned the Regular City Council Meeting at 8:08 p.m.

Julie Hanson
City Clerk

David Grant
Mayor