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, Fran Holmes, Dave McClung and Steve Scott

**Absent:** None

Also present: City Administrator Dave Perrault; Public Works Director/City Engineer Todd Blomstrom; Community Development Manager/City Planner Mike Mrosla; City Attorney Joel Jamnik; and City Clerk Julie Hanson

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

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

2. PUBLIC INQUIRIES/INFORMATIONAL

Gregg Larson, 3377 North Snelling Avenue, he spoke to the Council regarding Snelling Avenue south of Lindey’s. He indicated this roadway was damaged and deteriorated. He reported the rest of Snelling Avenue was new and repaved because the work had been done by the County. He encouraged the City to consider setting aside funds for the south portion of Snelling Avenue.

Mayor Grant requested staff investigate this roadway and report back to the Council at a future meeting.

3. RESPONSE TO PUBLIC INQUIRIES

None.
4. PUBLIC PRESENTATIONS

A. Ramsey County Commissioner Update

Ramsey County Commissioner Nicole Frethem provided the Council with an update from Ramsey County. She explained the County’s vision was to create a vibrant community where all are valued and thrive and its mission was to be a county of excellence working with you to enhance quality of life. The services offered by the County was discussed at length. She then commented on her priorities for 2020 and noted the boards and commissions she would be serving on. She encouraged the Council to reach out to her at any time with comments or concerns.

Councilmember Holden stated she was happy Toni Carter was appointed Chair of the County Board. She asked if this was a conflict of interest given the fact her son was the Mayor of St. Paul.

Commissioner Frethem explained conflict of interest comes into effect when personal profit is concerned. She reported Toni Carter will not personally profit from the decisions she is making. She noted Toni Carter represents St. Paul and all of the Ramsey County suburbs. She indicated Ms. Carter was a very competent and responsible professional. She believed Ms. Carter was very deserving of the Chair position and noted Mary Jo McGuire would be serving as the Vice Chair.

Councilmember Holden questioned if Commissioner Frethem would be serving on the JDA.

Commissioner Frethem stated while she was interested in serving, the County Board would not be changing the JDA representatives given the pending litigation.

Councilmember Holden encouraged Ramsey County to consider updating its website in order to become more user-friendly.

Councilmember Holmes thanked Commissioner Frethem for holding office hours for her constituents in Arden Hills.

Commissioner Frethem commented further on her office hours and encouraged the City to publicize this information in Arden Hills.

Councilmember Holmes requested Commissioner Frethem look into greater efficiencies within the library system.

Mayor Grant noted he met with Commissioner Frethem in December. He thanked Commissioner Frethem for her time and for sharing what was going on at Ramsey County. He requested Commissioner Frethem keep the Council apprised as to the projects Ramsey County would be completing in Arden Hills.

Councilmember Holden encouraged Commissioner Frethem to hold office hours in Arden Hills at the Ramsey County Public Works Facility.
5. **STAFF COMMENTS**

A. Rice Creek Commons (TCAAP) and Joint Development Authority (JDA) Update

City Administrator Perrault provided an update on TCAAP stating litigation with Ramsey County was ongoing.

6. **APPROVAL OF MINUTES**

A. January 13, 2020, Special City Council Executive (Closed)
B. January 13, 2020, Regular City Council

Councilmember Holden noted she had several changes to the January 13th Regular City Council meeting minutes and these revisions were submitted to staff.

**MOTION:** Councilmember Holden moved and Councilmember Holmes seconded a motion to approve the January 13, 2020, Special City Council Executive (Closed) meeting minutes; and January 13, 2020, Regular City Council meeting minutes as amended. The motion carried unanimously (5-0).

7. **CONSENT CALENDAR**

A. Motion to Approve Consent Agenda Item - Claims and Payroll
B. Motion to Approve Resolution 2020-007 Appointing Micah Kiernan to the Parks, Trails and Recreation Committee (PTRC)

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

8. **PULLED CONSENT ITEMS**

None.

9. **PUBLIC HEARINGS**

A. Chapter 12 Sign Code Amendment

Community Development Manager/City Planner Mrosla stated at its December 16, 2019 meeting, the City Council directed staff to make necessary ordinance changes to make political signs (non-commercial sign) consistent with existing temporary off-premise signs placement standards to include a distance from the curb or roadway. In addition, Council requested staff to review and bring the ordinance into conformance with State statute for when signs may be placed.
Community Development Manager/City Planner Mrosla explained City staff has since then initiated proposed amendments to Chapter 12, Section 1230.01, Subd. 2 of the Sign Code. The existing language from section 1230.01, Subd. 2 states:

“Non-commercial Signs in an Election Year. Signs of any size containing noncommercial speech may be posted from August 1 in any general or City election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election provided that the signs are in compliance with Minnesota Statutes. These non-commercial signs shall be placed in accordance with Section 1250.03 Subd 2, 3, and 4.”

Community Development Manager/City Planner Mrosla reported the ordinance language above is inconsistent with Minnesota State Statute 211B.045. Minnesota State Statute 211B.045 states:

“All noncommercial signs of any size may be posted in any number beginning 46 days before the state primary in a state general election year until ten days following the state general election. Municipal ordinances may regulate the size and number of noncommercial signs at other times.”

Community Development Manager/City Planner Mrosla indicated the existing ordinance language restricts the placement of non-commercial signs until August 1st in an election year. However, Minnesota State Statute 211B.045 permits non-commercial signs to be posted 46 days prior to the state primary election. Minnesota primary elections occur on the second Tuesday of August in election years or on August 11, 2020. Per the statute, signs may be posted 46 days prior to the primary election or June 28, 2020. In response, staff worked with the city attorney on the proposed language below.

“All non-commercial Signs in an Election Year. In years where a federal, state or local government election is conducted within the city, non-commercial signs may be posted no more than 46 days prior to that election. These non-commercial signs shall be placed in accordance with Section 1230.02 and 1250.03 Subd 2, 3, and 4. Those responsible for posting the signs shall remove any signs within 10 days following an election.”

Community Development Manager/City Planner Mrosla stated the proposed language addresses all types of elections and removes the need to address special elections. The proposed language is in conformance with Minnesota State Statute 211B.045 and permits non-commercial signs to be posted no more than 46 days prior to the primary. 46 days is the minimum set by state statute. The number may increase, but may not decrease below 46 days. At a recent City Council Work Session the Council discussed increasing the number of days to 70. A formal motion would be necessary to change the proposed 46 to 70 days. In addition, staff added specific code sections that defines where signs may be located. Section 1230.02 is addresses prohibited sign placement locations and 1250.03 regulates temporary off-premise signs.

Community Development Manager/City Planner Mrosla commented as part of sign code amendment staff revised and restructured section 1250.03, Temporary Off-premise Signs. It is important to note that only subdivisions two (2) through four (4) regulate noncommercial signs in
section 1250.03. The intent of the revision was to bring non-commercial signs in conformance with other temporary off-premise sign standards. The existing ordinance language was silent on placing signs on publicly owned land and there was no roadway setbacks standards for non-commercial signs. Staff provided a summary of the proposed revisions.

Councilmember Holden asked if the proposed changes meet or exceeds State law and meets all City Sign Ordinances.

Community Development Manager/City Planner Mrosla reported this was the case.

Mayor Grant opened the public hearing at 7:37 p.m.

With no one coming forward to speak, Mayor Grant closed the public hearing at 7:38 p.m.

10. NEW BUSINESS

A. Ordinance No. 2020-001 Amending Chapter 12 Sign Code

Community Development Manager/City Planner Mrosla stated at its December 16, 2019 meeting, the City Council directed staff to make necessary ordinance changes to make political signs (non-commercial sign) consistent with existing temporary off-premise signs placement standards. In addition, Council requested staff to review and bring the ordinance into conformance with State statute for when signs may be placed.

Community Development Manager/City Planner Mrosla explained the Planning Commission recommend approval of the following amendments to Chapter 12, Sign Code. The intent of the amendment is to clarify existing language to make non-commercial signs in an election year consistent with placement standards of temporary off-premise signs and Minnesota State Statute 211B.045. Staff worked with the City Attorney to bring the proposed language into conformance with Minnesota State Statute 211B.045. The proposed amendment permits non-commercial signs to be posted no more than 46 days prior to the primary. 46 days is the minimum set by state statute. The number may increase, but may not decrease below 46 days. At a recent City Council Work Session the Council discussed increasing the number of days to 70. A formal motion would be necessary to change the proposed 46 to 70 days.

Community Development Manager/City Planner Mrosla reported additional language was added to section 1250.03, Temporary Off-premise Signs. The existing ordinance language for non-commercial signs was silent on placing signs on publicly owned land and there was no roadway setbacks standards for non-commercial signs. In addition, the existing language did not discuss prohibited signs placement locations. The proposed language provides the same setback standards for non-commercial and temporary off-site signs (five feet from the curb).

Community Development Manager/City Planner Mrosla explained Staff proposed language allowing the property owner to the ability to withdraw sign placement permission at any time. However, at a recent City Council Work Session the Council discussed modifying the language to read, “The property owner shall notify the sign owner prior to withdrawing permission.” If Council selects to amend the proposed language, a formal motion would be required.
Councilmember Holmes asked if 70 days was not proposed within the Code Amendment as was discussed by the City Council at their previous worksession meeting.

Community Development Manager/City Planner Mrosla commented the Council could make a change at this time. He noted the amendment was brought to the Planning Commission with 46 days per State Statute.

Councilmember Holmes recommended a change be made to allow signs to be posted 70 days prior to a primary election.

MOTION: Councilmember Holmes moved and Councilmember McClung seconded a motion to adopt Ordinance #2020-001 – Amending Chapter 12, Section 1230.01, Subd. 2 and Section 1250.03 City Code.

AMENDMENT: Councilmember Holmes moved and Mayor Grant seconded a motion to Amend Subdivision 2 noting this section should read 70 days prior to the election.

Councilmember McClung commented this provision would allow signs to be posted 70 days prior to a primary. He commented when there is not a primary candidates would be limited to 46 days. He noted this would traditionally allow candidates to post signs two weeks after Labor Day.

The amendment to Subdivision 2 noting this section should read 70 days prior to the election carried (5-0).

AMENDMENT: Councilmember Holmes moved and Councilmember McClung seconded a motion to Amend Page 3 of Attachment A, Letter K suggesting the statement read: The property owner may withdraw a sign at any time with notice to the sign owner.

Councilmember Holmes explained she understood this would be a difficult item to enforce but she saw benefit in the sign owner being notified if a sign was being removed because it could be used at another location. She saw this amendment as a courtesy.

Mayor Grant suggested a friendly amendment to the motion stating the sign owner/campaign committee be notified.

Councilmember McClung indicated he supported the proposed friendly amendment.

Councilmember Holmes reported she was trying to keep the terminology consistent within the Sign Code.

Councilmember Holden stated she did not support this amendment. She believed it would be too difficult for the City to enforce.

Councilmember Holmes commented she believed the proposed change would be a courtesy and understood it would be difficult to enforce.
Councilmember Scott agreed with Councilmember Holden that it would be difficult to enforce this type of requirement. He believed sign owners were assuming a risk when signs were placed on private property. He did not want property owners to be responsible for receiving approval for a sign owner in order to remove a campaign sign.

Councilmember McClung stated he understood Councilmember Holmes’ intent, but he also agreed it would be difficult to enforce this type of sign code language. For this reason, he suggested staff draft a one page flyer regarding campaign sign etiquette. He believed this would address the concerns the City has regarding signs versus putting further language into the Sign Code.

Mayor Grant stated he did not support the proposed amendment. He believed it was a property owners right to remove the sign at any time. He indicated the proposed amendment would not be enforceable.

Councilmember Holden explained she did not believe it was the City’s responsibility to manage sign removal courtesies.

Councilmember Holmes withdrew her amendment.

The motion to adopt Ordinance #2020-001 – Amending Chapter 12, Section 1230.01, Subd. 2 and Section 1250.03 City Code as amended carried (5-0).

MOTION: Councilmember Holmes moved and Councilmember Scott seconded a motion to Authorize Staff to Publish Summary Notice of Ordinance #2020-001. The amended motion carried (5-0).

11. UNFINISHED BUSINESS

None.

12. COUNCIL COMMENTS

City Clerk Hanson provided the Council with information regarding early voting on the Presidential Primary. She explained early voting would take place now through March 3, 2020 and noted that voters would need to declare their party in order to receive the appropriate ballot.

Councilmember Scott stated he received a letter from a high school constituent requesting the Council consider banning plastic bags in Arden Hills.

Councilmember Scott reported on Tuesday, January 28, 2020 a Town Hall Meeting would be held at the Shoreview Library at 7:00 p.m. with local elected officials.

Councilmember Scott commented he possibly may not be in attendance at the February 10, 2020 City Council meeting.
Councilmember McClung stated he attended the Lake Johanna Fire Board meeting last Wednesday with the City Administrator. He explained the cities received the 2019 Annual Report from the Lake Johanna Fire Chief and that this information is public.

Councilmember Holmes reported the Bulletin was no longer in publication. She thanked CTV for assisting the City by providing quarterly news updates on Arden Hills. She noted the first CTV event would convey information to the public regarding snow plowing.

Councilmember Holden questioned how many neighborhood meetings would be held regarding the redevelopment of the fire station property.

Community Development Manager/City Planner Mrosa briefly discussed the City’s neighborhood meeting policy.

Councilmember Holden stated that the City’s Communications person could include information about the Lake Johanna Fire Department’s annual report in the City’s newsletter.

Councilmember Holden commented on the importance of the City seeking funding for trails and trail maintenance.

Mayor Grant asked when the CTV snow plowing video would be ready for public viewing.

Public Works Director/City Engineer Blomstrom anticipated this video would be ready for viewing in approximately one month.

Mayor Grant reported the 2020 Census would begin shortly. He encouraged all residents to fill out their Census information. He also explained the State was seeking Census takers and individuals could apply online via the Census website.

ADJOURN

MOTION: Councilmember McClung moved and Councilmember Holden seconded a motion to adjourn. The motion carried unanimously (5-0).

Mayor Grant adjourned the Regular City Council Meeting at 8:06 p.m.

[Signatures]

Julie Hanson  
City Clerk

David Grant  
Mayor