



Approved: May 24, 2021

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**CITY OF ARDEN HILLS, MINNESOTA  
SPECIAL CITY COUNCIL MEETING  
MAY 3, 2021  
5:45 P.M. - ARDEN HILLS CITY COUNCIL CHAMBERS**

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**CALL TO ORDER/ROLL CALL**

Pursuant to due call and notice thereof, Mayor David Grant called to order the regular City Council meeting at 5:45 p.m.

*Note: On March 20<sup>th</sup>, 2020 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, Dave McClung and Steve Scott

**Absent:** None

**Also present:** City Administrator Dave Perrault; Planning Consultant Jane Kansier; 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. CONSENT CALENDAR**

A. Motion to Approve Memorandum of Understanding with Ramsey County for the Construction of Temporary Traffic Signal on Lexington Avenue (Target South Access Road)

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

### 3. PULLED CONSENT ITEMS

None.

### 4. UNFINISHED BUSINESS

#### A. Resolution 2021-026 Conditional Use Permit Amendment and Site Plan – Bethel University (Football Field) – 3900 Bethel Drive – PC 21-002

**Planning Consultant Kansier** stated Bethel University (“The Applicant”) is requesting a Conditional Use Permit (CUP) Amendment and Site Plan Review to update the existing football and practice fields located in the southern quadrant of their main campus at 3900 Bethel Drive. The Applicant is proposing to convert the existing grass football field into a synthetic turf stadium field with a new track constructed around it and the existing grass practice field into a synthetic turf multi-purpose field. The Applicant is also proposing changes to the lighting around the two fields, scoreboards, the spectator plazas, the perimeter fencing, and the grandstand and press box. It was noted the seating capacity will remain as is.

**Planning Consultant Kansier** reported Bethel University operates under a CUP Master Plan. As the university comes forward with plans, they are reviewed against the Master Plan for consistency. Building plans that are consistent with the Master Plan require a Site Plan Review. A CUP Amendment is required when plans are not included in the approved Master Plan. The two proposed improvements to the football field and the practice field are not included on the Master Plan and a CUP Amendment is therefore required.

**Planning Consultant Kansier** reviewed the Site Data and Plan Evaluation in detail with the Council and offered the following Findings of Fact:

#### General Findings:

1. The Bethel University main campus at 3900 Bethel Drive is located in the Institutional Zoning District.
2. A Higher Education, College Campus is a Conditional Use in the Institutional District.
3. Bethel University operates under a Conditional Use Permit Master Plan.
4. The proposed additions are not included on the Master Plan and a CUP Amendment is required.
5. Bethel University has requested Site Plan Review approval for the proposed changes to the football and practice fields.
6. The proposed changes to the football and practice fields would be in compliance with all provisions of the Zoning Code.
7. A public hearing for a PUD Amendment request is required before the request can be brought before the City Council.
8. The Planning Commission conducted a public hearing on April 7, 2021.

#### Conditional Use Permit Evaluation Findings:

1. The proposed plan is not anticipated to have any impact on traffic or parking conditions because the additions do not include an increase in football field seating.

2. The proposed plan includes the addition of LED lights and will increase illumination around the football fields.
3. The proposed plan will not produce any permanent noise, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
4. The proposed plan will impact drainage on the site.
5. The proposed plan will not impact population density.
6. The proposed plan is not expected to have a visual impact on surrounding properties or on land use compatibility with uses and structures on surrounding land or adjoining land values because the new additions will not be easily visible from outside the Bethel University campus.
7. Park dedication requirements are not applicable.
8. The proposed plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.

**Planning Consultant Kansier** stated the Planning Commission reviewed this application at their April 7, 2021 meeting. At that time, they recommended approval of the Bethel University application for a Conditional Use Permit Amendment and Site Plan by a 6-0 vote. Staff recommended adoption of Resolution 2021-026 approving the Conditional Use Permit and Site Plan Review for Planning Case 21-002 at 3900 Bethel Drive, based on the findings of fact and the submitted plans, subject to the following conditions:

1. All conditions of the original Conditional Use Permit shall remain in full force and effect.
2. Prior to the issuance of a grading permit, all items identified in the March 11, 2021 Engineering Division memo shall be addressed. All comments shall be adopted herein by reference.
3. The project shall be completed in accordance with the plans submitted as amended by the conditions of approval. Any significant changes to these plans, as determined by the City Planner, shall require review and approval by the Planning Commission and City Council.
4. The proposed structures shall conform to all other regulations in the City Code.
5. A Grading and Erosion permit shall be obtained from the city's Engineering Division prior to commencing any grading, land disturbance or utility activities. The Applicant shall be responsible for obtaining any permits necessary from other agencies, including but not limited to, MPCA, Rice Creek Watershed District, and Ramsey County prior to the start of any site activities.
6. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and storm water does not leave the project site.
7. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities.
8. Prior to the issuance of a grading permit, a landscape financial security equal to 125% of the cost of the landscaping to be installed on the site shall be submitted. The Applicant must submit a detailed cost estimate for the landscaping so staff can determine the final amount. Landscape financial security shall be held for two full growing seasons.
9. Prior to the issuance of a grading permit, a landscaping letter of credit or escrow shall be required.

10. The Applicant shall be required to provide photometric calculations for the lighting at the property lines of all adjacent residential properties indicating the plan meets ordinance requirements.
11. A separate permit shall be required for the scoreboard. The scoreboard must meet all requirements of City Code Section 1250.05.

**Planning Consultant Kansier** reviewed the options available to the City Council on this matter:

1. Recommend Approval with Conditions
2. Recommend Approval as Submitted
3. Recommend Denial
4. Table

**Planning Consultant Kansier** discussed the 60 day time period for the Planning Case and noted the Council must take action prior to May 23, 2021.

**Councilmember Holden** asked if Bethel was doing construction work across the street.

**Planning Consultant Kansier** deferred this question to the applicant.

**Jay Pomeroy**, representative for the applicant, explained as part of the track and field experience the shot put, hammer throw and discus area would be located down in the broomball area. He discussed the concrete slabs and cages that would be needed for the throw areas. He explained the broomball area would be constructed in the winter months and taken down during the track and field season.

**Mayor Grant** questioned how tall the protective wall or safety net would be.

**Jay Pomeroy** indicated the netted cage would keep all hammer throw and discus within the netted cage area. He stated this was an NCAA requirement.

**Mayor Grant** inquired if the drainage of the football field was being altered.

**Mr. Pomeroy** reported the drainage was being changed, modified and expanded. He explained drainage was a significant part of this project. He stated he was going through the Rice Creek Watershed approval process. He noted the turf was considered pervious.

**Councilmember Holmes** requested further information regarding the sound system.

**Mr. Pomeroy** explained the existing sound system would be replaced with a better aimed sound system. He discussed where the new speakers would be located on the light poles noting the sound would be better distributed to the spectators.

**Councilmember Holmes** asked when the sound system and lighting would be available. She recommended specific hours of operation be set. In addition, she supported the applicant providing the City with additional information on the specific sound system that would be installed.

**Mayor Grant** explained a condition for approval could be that the sound system could only be used during competitions and/or games.

**Councilmember Holden** questioned if the Council was approving a new sound system with this Planning Case.

**Planning Consultant Kansier** reported staff does not have any information on the proposed new sound system but understood that Bethel would like to install a new sound system.

**Councilmember Holden** recommended that a condition for approval be added to require Bethel University to come before the City Council prior to replacing the sound system at the football stadium.

**Mike Lindsey**, Bethel University Facilities Management, explained he did not have a specific sound system in place. He indicated Bethel would like to replace the sound system, but this was not in the budget at this time. He reported the current system was mounted at the top of the bleachers and projects to the south towards the adjacent residential homes. He indicated the new system would be affixed to the light poles and would project to the north. He stated this would improve the experience for the neighbors, as well as the fans.

**Councilmember Holmes** questioned if the current speakers would be moved to the new light poles or would they remain in the bleachers.

**Mr. Lindsey** commented the speakers would not be moved until Bethel has funding in place to purchase a new sound system.

**Councilmember Holmes** questioned when the sound system would be used.

**Mr. Lindsey** reported the intent would be to set parameters as to who has access to the lights and sound system and the system could only be used under supervision.

Further discussion ensued regarding the concerns the City has had with the softball and soccer fields.

**Mayor Grant** asked if soccer games would be played at the football field after the renovations were completed.

**Mr. Pomeroy** explained the intention was to continue to have soccer games at Ona Orth Field and the football field will be striped only for football. He commented the multi-purpose field will be striped for football and soccer.

**Councilmember Holden** indicated she would like to require Bethel to come before the Council when the sound system is replaced and wanted to see staff/coaches controlling the sound and lighting at the football stadium.

**Councilmember Holmes** supported this recommendation. She suggested the lights and sound system be shut down by 10:00 p.m.

**Councilmember McClung** stated he agreed with the conditions as recommended by Councilmember Holden. It was his hope the new technology would improve the sound situation at the stadium. In terms of the lights, he supported the lights being shut down by 10:00 p.m. on a nightly basis.

**Councilmember Holden** commented she believed that 10:00 p.m. was pretty early. She suggested the lights be allowed to remain on until 10:30 p.m. She questioned when football games were typically held.

**Mr. Lindsey** reported Bethel football games were typically held in the afternoon. He explained if an evening game were held, they typically began at 7:00 p.m.

**Councilmember Holden** stated she could support the lights be turned off at 10:00 p.m. on non-event days. She indicated for game days or track competitions, the lights should be allowed to remain on for a certain amount of time after the event ends to ensure the stadium is safely cleared of player and spectators.

**Mayor Grant** agreed. He commented he happy to see the sound system was being replaced because this would allow the system to be more properly directed.

**MOTION:** **Councilmember Holden moved and Councilmember McClung seconded a motion to adopt Resolution #2021-026 – Approving a Conditional Use Permit Amendment and Site Plan for the Football Field for Bethel University at 3900 Bethel Drive, based on the findings of fact and the submitted plans, and the eleven (11) conditions in the May 3, 2021, Report to the City Council.**

**AMENDMENT:** **Councilmember Holden moved and Mayor Grant seconded a motion to add Condition 12 stating: When Bethel University replaces the sounds system at the football field, this matter must come before the City Council for approval.**

**A roll call vote was taken. The amendment adding Condition 12 carried (5-0).**

**AMENDMENT:** **Councilmember Holden moved and Mayor Grant seconded a motion to add Condition 13 stating: A Bethel employee shall control the lighting and sound system at the football field.**

**Councilmember Scott** believed that the sound system issues have been vastly improved over the last few years. He indicated he would like to see oversight of the sound system being monitored by Bethel staff.

**Mayor Grant** asked if a Bethel RA would be considered an employee.

**Mr. Pomeroy** reported an RA would be considered an employee of Bethel's.

**Councilmember Scott** offered a friendly amendment suggesting the Bethel employee be changed to Bethel approved designee.

**Councilmember Holden** and **Mayor Grant** supported this friendly amendment.

**A roll call vote was taken. The amendment adding Condition 13 carried (5-0).**

**Councilmember McClung** recommended the Council set a limit of 10:00 p.m. for use of the sound system and lights at the football field, except on scheduled competition or game days.

**Mr. Lindsey** suggested the language read a Bethel University sponsored event.

**Councilmember Scott** indicated he would like to see the City offering more latitude on the weekends, especially considering the new system would improve the sound around the stadium.

**AMENDMENT:** **Councilmember McClung moved and Councilmember Holden seconded a motion to add Condition 14 stating: The use of the sound system and lights at the football field be capped at 10:00 p.m., except on nights that have a Bethel University sponsored events.**

**Councilmember Holden** questioned how long the lights typically stayed on after a Bethel sponsored event.

**Mr. Lindsey** stated 30 minutes would be an adequate amount of time to clear the field after an event.

**Mark Posner**, Bethel University, explained he wants to be a good neighbor. He indicated the lighting and sound were two different issues. He stated he was comfortable with 30 minutes for the sound, but requested more than 30 minutes in order to safely clear the field.

**Councilmember Holden** stated she supported the original amendment language as proposed by Councilmember McClung.

**Councilmember Scott** questioned if full intensity of the LED lights should be capped at 10:00 p.m. and then allow the lights to dim in order to allow fans to exit safely.

**Mayor Grant** inquired if the LED lighting that Bethel would be purchasing would be dimmable.

**Mr. Posner** commented the lights were dimmable and could be brought down to 50%.

**Councilmember McClung** explained he did not want things to get too complicated. He supported the lighting being capped at 10:00 p.m. unless there was a Bethel sponsored event. He stated if events were to arise the City can speak with Bethel regarding the concerns.

**A roll call vote was taken. The amendment adding Condition 14 carried (5-0).**

**Councilmember Holmes** asked if the City should require Bethel to provide the City with a letter of credit.

**Councilmember Scott** questioned if this was necessary when the City would also be requiring Bethel to provide the City with an escrow. He requested comment from staff on this matter.

**Planning Consultant Kansier** reviewed Conditions 8 and 9 noting staff had referenced a financial security, which could be a letter of credit or an escrow.

**Mayor Grant** questioned why the City was requiring 125% of the landscaping costs.

**Planning Consultant Kansier** reported this would cover the cost for the City to go in and replace all items within the landscaping plan plus an administrative cost.

**Mayor Grant** stated he supported Conditions 8 and 9.

**A roll call vote was taken. The motion to adopt Resolution #2021-026 – Approving a Conditional Use Permit Amendment and Site Plan for the Football Field for Bethel University at 3900 Bethel Drive, based on the findings of fact and the submitted plans, the eleven (11) conditions in the May 3, 2021, Report to the City Council, and the addition of Conditions 12, 13 and 14 as stated in the above amendments carried (5-0).**

## 5. COUNCIL COMMENTS

**Councilmember Holmes** suggested the Council discuss the water meter issue at an upcoming worksession meeting, along with the PTRC recommendations for benches and trails.

**City Administrator Perrault** noted he had forwarded an email to the Council prior to tonight's meeting with an update on the water meter issue. He stated items could be addressed at the upcoming work session in May.

**Mayor Grant** supported the Council having a discussion regarding the water meters because there were some larger issues that had to be addressed.

**Councilmember Holden** stated she would like to know more about the properties that were impacted by the water meter concerns, to learn how many people were affected. She explained she would like to know if this was a bandwidth and frequency concern.

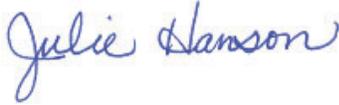
**Mayor Grant** requested staff provide the Council with more information regarding the water meter reading concern.

**City Administrator Perrault** reported he would work to provide the Council with more granular information regarding the water meters.

**ADJOURN**

**MOTION:** Councilmember Holden moved and Councilmember Holmes 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 7:15 p.m.



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Julie Hanson  
City Clerk



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David Grant  
Mayor