



COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a hybrid meeting of the New Brighton City Council was held Tuesday, April 26, 2022 at 6:30 pm in the New Brighton Council Chambers.

Present: Mayor Niedfeldt-Thomas, Councilmembers Abdulle (attending remotely), Allen, Axberg and Dunsworth

Absent:

Also Present: Devin Massopust-City Manager, Sarah Sonsalla-City Attorney, Gina Foschi-Finance Director, Ben Gozola-Assistant Director of Community Assets and Development, Tony Paetznick-Public Safety Director, Terri Spangrud-City Clerk

Call to Order

Mayor Niedfeldt-Thomas called the meeting to order at 6:30 pm.

Pledge of Allegiance

Mayor Niedfeldt-Thomas led the Council in the Pledge of Allegiance.

Public Comment Forum

Mayor Niedfeldt-Thomas opened the Public Forum for comments from the public.

Approval of Agenda

Approval of the April 26, 2022 Council Agenda.

Motion by Councilmember Axberg, seconded by Councilmember Dunsworth to approve the agenda as submitted.

A roll call vote was taken.

5 Ayes, 0 Nays-Motion Carried

Special Order of Business

1. Oath of Office for Police Officer DeAndre Clarke.

Public Safety Director Paetznick introduced newly hired Police Officer DeAndre Clarke to the City Council and commented on how Officer Clarke had been recruited from within the community. City Clerk Spangrud administered the Oath of Office to Police Officer DeAndre Clarke. Officer Clarke thanked the Council and his fellow police officers for their support. He stated it has been an honor to serve the City of New Brighton. A round of applause was offered by all in attendance.

2. Proclamation Declaring May 1 through May 7, 2022 Drinking Water Week in the City of New Brighton.

Call to Order

Pledge of Allegiance

Public Comment Forum

Approval of Agenda

Approval of the
April 26, 2022
Agenda.

Special Order of Business

1. Oath of Office for Police Officer DeAndre Clarke.

2. Proclamation Declaring May 1 through May 7, 2022 Drinking Water Week in the City of New Brighton.

Mayor Niedfeldt-Thomas read a proclamation in the for the record declaring May 1 through May 7, 2022 Drinking Water Week in the City of New Brighton.

3. Proclamation Declaring April 2022 Fair Housing Month in New Brighton.

Mayor Niedfeldt-Thomas read a proclamation in full for the record declaring April 2022 to be Fair Housing month in the City of New Brighton.

Councilmember Abdulle stated affordable housing was an important topic to this Council and he was looking forward to the Council digging into this topic further in the coming year.

Councilmember Allen indicated he appreciated the fact that this Council was focused on affordable housing and trying to do better, in order to provide fair housing for all.

Consent Agenda

1. Consider Approval of Payments.
2. Approve City Council Minutes:
 - a. March 22, 2022 City Council Meeting Minutes.
 - b. April 12, 2022 Worksession Meeting Minutes.
 - c. April 12, 2022 City Council Meeting Minutes.
3. Accept Receipt of Commission Minutes:
 - a. December 21, 2021 Planning Commission Meeting Minutes.
 - b. January 5, 2022 Economic Development Commission Meeting Minutes.
4. Consider Agreement with Pet Central for Animal Impound Services.
5. Consider Resolution Authorizing a Transfer from the General Fund to the Community Reinvestment Fund and Amending the 2022 General Fund Budget.
6. Consider appointment of Public Safety Commission Chair and Vice Chair.
7. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for City Project 22-1, 2022 Street Rehabilitation.
8. Consider Approval of a Lease Termination Agreement with Spring Spectrum LLC.
9. Consider Request for Exemption from Lawful Gambling License – Community Partners with Youth.
10. Consider Request for Exemption from Lawful Gambling License – Irondale High School Band Boosters.
11. Consider Application for a Transient Merchant License for New Brighton Farmers Market.

3. Proclamation Declaring April 2022 Fair Housing Month in New Brighton.

Consent Agenda

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 - a. March 22, 2022 City Council.
 - b. April 12, 2022 Worksession.
 - c. April 12, 2022 City Council.
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 - a. December 21, 2021 Planning Commission.
 - b. January 5, 2022 EDC.
4. Consider Agr. with Pet Central for Animal Impound Services.
5. Consider Resolution Authorizing a Transfer from the General Fund to the Community Reinvestment Fund and Amending the 2022 General Fund Budget.
6. Consider appointment of Public Safety Commission Chair and Vice Chair.
7. Consider Approval of Plans and Specs and Authorization to Ad for Bids for City Project 22-1.
8. Consider Approval of a Lease Termination Agr. with Spring Spectrum LLC.
9. Consider Request for Exemption from Lawful Gambling Lic. – CPY.
10. Consider Request for Exemption from Lawful Gambling Lic. – Irondale High

Motion by Councilmember Dunsworth, seconded by Councilmember Axberg to approve the Consent Agenda as presented.

A roll call vote was taken.

5 Ayes, 0 Nays - Motion Carried

Public Hearing

None.

Council Business

1. Consider Acceptance of the 1st Quarter 2022 Financial Reports.

City Manager Massopust indicated Finance Director Foschi would be presenting this item to the Council. Finance Director Foschi stated in an effort to keep the Council informed on the City's fiscal condition, a budget to actual comparison of 2022 revenues and expenditures for the period ending March 31, 2022 was reviewed. A summary of the City's investment portfolio was also discussed. The report includes an analysis of the following funds:

- General Fund
- Sewer Utility Fund
- Street Light System Fund
- Water Utility Fund
- Stormwater Management Fund

Finance Director Foschi reported these funds account for programs and services that constitute the City's core functions. Programs such as debt service and tax increment financing which are governed by pre-existing obligations and restricted revenues are not shown. In addition, expenditures in the City's Fleet and Non-Fleet programs are not shown as these expenditures are specifically tied to pre-funded asset replacement funds. The information is presented on a modified cash basis accounting method, which measures only the actual revenues that become available and measurable, and expenditures are recognized in the period the liability is incurred. Explanations are provided in the report for any budget to actual differences that are considered to be significant. At the end of the first quarter, this includes a variance of less than 20% or more than 30%. It should be noted that certain variances are expected and exist simply due to the non-recurring or intermittent nature of the revenue or expenditure. Staff commented further on the 1st quarter financials and recommended approval.

Mayor Niedfeldt-Thomas asked if this report would be placed on the City's website. City manager Massopust explained all quarterly reports were placed on the City's website. Mayor Niedfeldt-Thomas thanked Finance Director Foschi for all of her efforts on the quarterly financial reports.

Motion by Councilmember Allen, seconded by Councilmember Abdulle to accept the First Quarter 2022 Financial Reports.

A roll call vote was taken.

5 Ayes, 0 Nays-Motion Carried

2. Consider Resolution Approving a Special Use Permit Authorizing a Garage in Excess of 624 Square Feet at 1233 12th Avenue NW.

City Manager Massopust indicated Assistant Director of Community Assets and Development Gozola would be presenting this item to the Council.

11 Consider App. for a
Transient Merchant
License for NB
Farmers Market.

Public Hearing

Council Business

1. Consider
Acceptance of the 1st
Quarter 2022 Financial
Reports.

2. Consider Resolution
Approving a Special Use
Permit Authorizing a
Garage in Excess of 624
Square Feet at 1233 12th
Avenue NW.

Assistant Director of Community Assets and Development Gozola stated Richard Brickner, owner of the home at 1233 12th Avenue NW, is seeking approval to tear down an existing legal nonconforming detached garage in order to construct a new, larger, detached garage conforming to setbacks. The new garage would be just over 1000 square feet in size, and will include an unfinished upper level currently intended for storage. Staff commented further on the request and noted the Planning Commission recommended approval with conditions. Councilmember Abdulle asked if the applicant had agreed to televise his sewer line. Assistant Director of Community Assets and Development Gozola explained Mr. Brickner was unable to attend the Planning Commission meeting but noted he was provided with the staff report. He reported staff would encourage Mr. Brickner to televise the line when he applies for a building permit.

Mayor Niedfeldt-Thomas requested further comments on the conditions for approval. Assistant Director of Community Assets and Development Gozola reviewed the conditions for approval for this request. Mayor Niedfeldt-Thomas questioned if the Planning Commission had any comments regarding the landscaping. Assistant Director of Community Assets and Development Gozola stated the Planning Commission did not have any comments regarding the landscaping. He noted this was a very heavily wooded lot. He explained there were no other concerns voiced by the Planning Commission or the public. Councilmember Abdulle inquired why the televising of the sewer line was not required. Assistant Director of Community Assets and Development Gozola indicated the condition language strongly suggests the applicant have his sewer line televised. He stated there was no City Code that would require Mr. Brickner to televise his sewer line prior to constructing the new garage. City Attorney Sonsalla explained the City can require reasonable conditions on a Special Use Permit. She recommended the televising of the line remain a suggestion and not a requirement.

Councilmember Allen asked if a watershed permit would be required to build the new garage. Assistant Director of Community Assets and Development Gozola stated a permit was not required from the watershed district.

Motion by Councilmember Axberg, seconded by Councilmember Allen to adopt a Resolution approving a Special Use Permit authorizing a garage in excess of 624 Square Feet at 1233 12th Avenue NW.

A roll call vote was taken.

5 Ayes, 0 Nays-Motion Carried

3. Consider Resolution Approving a Special Use Permit to Amend a Previously Approved Area of Special Control Governing Signage on the Biesswenger's Hardware Store Site at 1823 Old Highway 8.

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City Manager Massopust indicated Assistant Director of Community Assets and Development Gozola would be presenting this item to the Council.

Assistant Director of Community Assets and Development Gozola stated Mark Beisswenger, owner of Beisswenger's Hardware Store at 1823 Old Highway 8, would like to amend the property's existing SUP which authorized an "area of special control" for signage on the site. By code, SUP's may be issued for any "Scenic Area, Shopping Center, or Renewal Area" to authorize a specialized sign plan for the site allowing for sizes and numbers of signs that would otherwise be prohibited. This application is only seeking an amendment to the design of the primary pole sign on the property. All other previously approved signage would remain the same.

Discussion ensued regarding how the full digital display sign would have to be programmed to include Beisswenger's name, so as not to be perceived as a billboard. Staff commented further on the request and noted the Planning Commission recommended approval with conditions. Mayor Niedfeldt-Thomas stated this SUP looked different than others because it was in the applicant's name versus the property address. Assistant Director of Community Assets and

Development Gozola explained the SUP would run with the property and the applicant.

Mayor Niedfeldt-Thomas requested further information regarding the sign placement/angle of the sign.

Assistant Director of Community Assets and Development Gozola discussed the placement of the sign and noted the Planning Commission was not concerned about visibility from Highway 96 and Old Highway 8.

He noted there a Beisswenger's sign was clearly visible on the building and could be seen from this intersection.

Motion by Councilmember Dunsworth, seconded by Councilmember Allen to adopt a Resolution Approving a Special Use Permit to Amend a Previously Approved Area of Special Control Governing Signage on the Beisswenger's Hardware Store Site at 1823 Old Highway 8.

A roll call vote was taken.

5 Ayes, 0 Nays-Motion Carried

4. Consider Professional Services Contract with paleBLUEDot for the Creation of a Climate Action Plan.

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City Manager Massopust indicated Community Assets and Development Director Schlichting would be presenting this item to the Council.

Community Assets and Development Director Schlichting discussed how sustainability and the environment has been a strategic priority for the City Council and that the Council wanted to have a Climate Action Plan in place. He stated quotes were solicited from paleBLUEDot and the Great Plains Institute.

Great Plains Institute provided a range of costs from \$42,000-\$81,500, and suggested the plan we were seeking would be over \$70,000, whereas paleBLUEDot's quote of \$42,400 covers baseline research, community surveys and the full Climate Action Plan development. Staff commented on a sample schedule that aligns with our 2022-23 priority for the creation of Climate Action Plan. Staff noted paleBLUEDot has prepared 42 Climate Action Plans, 50 Energy Action Plans and 425 Solar Assessments.

Ted Redmond, paleBLUEDot, introduced his company to the Council stating their mission was to hasten the transition to an authentically sustainable, no carbon economy and to elevate the public discourse. He discussed the number of Climate Action Plans (CAP) paleBLUEDot has completed in recent years and noted this work spans 23 states and over 40 communities in Minnesota. He then provided the Council with a presentation on how a Climate Action Plan would be generated. He described how his staff would approach the project and commented on the phases of community engagement that would be completed. It was noted three documents that would be created for the City and this would include a plan document, an action matrix supporting implementation, and an online database of example policies and ordinances supporting implementation. He commented further on the work his team would do for the City and asked for comments or questions from the Council.

Councilmember Allen asked what the timeline would be for the CAP. Mr. Redmond discussed the project schedule in detail with the Council stating he hoped to have a plan back to the Council next April.

Councilmember Dunsworth stated she loved this project. She noted she was the liaison to PREC and noted this group would greatly appreciate the fact the Council was creating a CAP. She discussed how the CAP would assist the City in pursuing future grant opportunities. She supported the enhanced equity approach being completed for the plan.

Councilmember Abdulle commented he supported this project moving forward. He discussed the challenges and health disparities people of color face when dealing with the results of climate change. He recommended the equity approach be completed in conjunction with the CAP. He explained there may be language challenges with this process and encouraged staff to begin thinking about how to address this concern. He appreciated the fact that the City would be working to ensure all voices were heard.

Councilmember Allen questioned what the cost would be to add the enhanced equity approach to the CAP.

Mr. Redmond detailed the components within the enhanced equity approach and discussed cost for these services.

Councilmember Abdulle believed the equity work should not be viewed as extra, but rather should be a core part of the project. City Manager Massopust explained staff spoke with the consultant to ensure equity was a primary piece of the project and this was how the consultant proposed addressing equity. He reported the Council could make a determination if they want to take on the equity portion of the project.

Councilmember Dunsworth agreed with Councilmember Abdulle noting the equity work should not be viewed as optional, but rather should be an integral part of this plan. She wanted to see the City engaging with members of the community that historically have not been included.

Mayor Niedfeldt-Thomas agreed and commented on how the City would have to be intentional in order to reach all groups in the City. She requested further information regarding how the modeling years would be chosen. Mr. Redmond stated he would be recommending 2013, 2016 and 2019 be selected. He explained 2020 would not be a good representation due to COVID. He indicated the City could request a fourth year of data from 2021, given the fact there has been new developments that have been completed since 2019.

Councilmember Axberg stated she wanted to see consistent messages being sent when requesting citizen input. She recommended that all of the City's Commissions be involved in this process. She asked if the City had budgeted for the CAP and questioned how this plan would be linked to the City's long range plans. City Manager Massopust reported this project would be funded by the Community Reinvestment Fund, which was a fund that assisted in covering one-time costs. He noted this project was not budgeted for 2022. He described how this plan would be linked into the City's long range plans, noting it would depend on the findings from the plan.

Mayor Niedfeldt-Thomas discussed the history of New Brighton stating the community had a legacy of this being a working class community that worked with toxic chemicals and of not being respectful of the land. She commented on what this plan would mean going forward. She asked how far the work of this plan would go into assessing the community and the chemicals being used by local businesses. Mr. Redmond stated the plan would go as deeply as available data sources for waste water volumes, along with data for energy, water, and electric consumption. He reported vulnerabilities were looked at more broadly and would come out based on the characteristics of the community.

Councilmember Allen asked how the City would get credit for all of the sustainability measures that have already been put in place. Mr. Redmond stated this was technical background information that could be built on. He reported much of this information would be provided to him when staff fills out an onboarding questionnaire.

Councilmember Allen noted he supported the cost for this project and the ongoing benefits the City will have because this plan would be in place.

Councilmember Abdulle questioned how transportation will be addressed in this document. Mr. Redmond stated the specific strategies or goals being recommended to the City will come out of the research that is completed. He stated in general, for a community like New Brighton, when it comes to mitigation, we are trying to get off of fossil fuels. He reported this comes by reducing vehicle miles traveled, increasing public transportation or by going electric. Community Assets and Development Director Schlichting explained the more modes of transportation that are allowed (pedestrians, bicycles, etc.) in the City's transportation corridor, the more vehicles that will be reduced. He commented further on the City's living streets plan, which would be multi-modal.

Councilmember Allen stated he would appreciate any suggestions on how a single-family home can get away from using fossil fuels.

Mayor Niedfeldt-Thomas requested further information regarding the cost breakdown for the CAP.

Community Assets and Development Director Schlichting discussed the total cost for the project including the equity enhanced items.

Mayor Niedfeldt-Thomas thanked staff and Mr. Redmond for their presentation. She stated she looked forward to the City working on this project over the next year with paleBLUEdot.

Motion by Councilmember Dunsworth, seconded by Councilmember Abdulle to Authorize the Director of Community Assets and Development to enter into a

Professional Services Agreement with paleBLUEDot in the amount of \$56,450 for the creation of a Climate Action Plan (CAP).

A roll call vote was taken.

5 Ayes, 0 Nays-Motion Carried

Commission Liaison Reports, Announcements and Updates

Commission Liaison Reports, Announcements and Updates

Devin Massopust

City Manager Massopust reported the City had goats at Creek View Park to help with eradicating buckthorn within this park. He encouraged the public to participate in No Mow May noting registrations were being taken on the City's website. He explained a Commission Training meeting would be held on Thursday, April 28. He stated he would be attending a League of Women's Voters event on Thursday, April 28 at 7:00 p.m. at the Community Center. He noted the most recent edition of the City newsletter would be hitting mailboxes this week.

Graeme Allen

Councilmember Allen reported the Public Safety Commission would be meeting next on Monday, May 9 at 6:30 p.m.

Emily Dunsworth

Councilmember Dunsworth reported she signed up for No Mow May. She indicated PREC would not be meeting in May due to the commission training meeting. She noted PREC and EDC were planning to hold a joint meeting in July. She explained the farmer's market would be held weekly on Wednesdays beginning June 1st from 3:00 p.m. to 7:00 p.m. and would have 30+ vendors and seven food trucks. She stated a website would be coming online soon that would assist the City with gaining community feedback on parks.

Pam Axberg

Councilmember Axberg reported she also signed up for No Mow May. She explained the EDC would meet next on Wednesday, May 4.

Abdullahi Abdulle

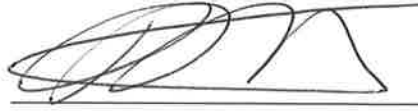
Councilmember Abdulle reported the Planning Commission would meet next on Tuesday, May 17. He stated he was very proud of the sustainability efforts the City was completing and noted he would be participating in No Mow May.

Mayor Niedfeldt-Thomas

Mayor Niedfeldt-Thomas reported the New Brighton Historical Society would be hosting a presentation on the Dakota people on Thursday, April 28 at 6:00 p.m. at the Community Center. She noted she attended the Mounds View Education Foundation Luncheon several weeks ago. She congratulated Public Safety Director Paetznick for joining the Mounds View Education Foundation Board. She explained the Equity Commission met on Thursday, April 21 and reviewed the Equity Strategic Action Plan. She indicated she attended a Metro Cities Annual Meeting where the group discussed voting patterns and elected new officers. She then invited the public to attend a jazz band concert on Monday, May 2 at 7:00 p.m. at Irondale High School.

Adjournment

Mayor Niedfeldt-Thomas adjourned the meeting at 8:42 p.m.



Kari Niedfeldt-Thomas, Mayor

ATTEST:


Terri Spangrud, City Clerk

Adjournment

The meeting adjourned
at 8:45 p.m.