

COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday, August 23, 2022 at 6:30 pm in the New Brighton Council Chambers.

Present: Mayor Niedfeldt-Thomas, Councilmembers Abdulle, Allen, Axberg and Dunsworth
Absent:

Also Present: Devin Massopust-City Manager, Rachel Tierney-City Attorney, Public Safety
Director Tony Paetznick, Craig Schlichting-Community Assets and Development
Director, Ben Gozola-Assistant Director of Community Assets and Development

Call to Order

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

Call to Order

Pledge of Allegiance

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

Pledge of Allegiance

Public Comment Forum

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

Public Comment Forum

Approval of Agenda

Approval of the August 23, 2022 Council Agenda.

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August 23, 2022
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Motion by Councilmember Abdulle, seconded by Councilmember Dunsworth to approve the agenda as submitted.

5 Ayes, 0 Nays-Motion Carried

Special Order of Business

1. Presentation of City of New Brighton Wellhead Protection Plan Part 1 Amendment.

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Community Assets & Development Director Schlichting provided the Council with a presentation on the City's Wellhead Protection Plan Part 1 Amendment. He explained Wellhead Protection Plans are for all water utilities in the state of Minnesota and are required to be updated every ten years. Councilmember Dunsworth reported the City's water is safe to drink and this plan was in place to protect the City's aquifers going forward.

Mayor Niedfeldt-Thomas questioned why it had been 12 years since the City recently updated its wellhead protection plan. Community Assets & Development Director Schlichting explained the City received an extension due to COVID, but noted Part 2 of the plan was completed in 2013. He reported staff would begin working on Part 2 in 2023.

Consent Agenda

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1. Consider Approval of Payments.
2. Approve City Council Minutes:
 - a. July 26, 2022 Worksession Meeting Minutes.
 - b. July 26, 2022 City Council Meeting Minutes.
 - c. July 27, 2022 Special Worksession Meeting Minutes.
3. Accept Receipt of Commission Minutes:
 - a. July 2, 2022 Joint EDC/PREC Meeting Minutes.
4. Consider Resolution Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessments, and Setting Public Hearing Date for Assessment Hearing on City Project 21-1, 2021 Street Rehabilitation.
5. Consider Request for Temporary On-Sale Liquor License – Northern Lights Greyhound Adoption.
6. Consider Request for Exemption from Lawful Gambling License – Ducks Unlimited North Suburban Chapter 239.
7. Resolution to Consider Bids and Award of Contract for City Project 21-8 Hansen Park Water Main Replacement.
8. Consideration of WTP #1 Erosion Control and Mulch Addition.
9. Consider Authorizing Staff to Enter an Agreement with Cap Carpet and Flooring, LLC for Carpet Replacement at NBCC.

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

5 Ayes, 0 Nays - Motion Carried

Public Hearing

None.

Council Business

1. Consider Approval of Agreement between the City of New Brighton and Mounds View School District for School Resource Officers (SRO).

City Manager Massopust indicated Public Safety Director Paetznick would be presenting this item to the Council.

Public Safety Director Paetznick stated Mounds View Schools has again requested the proactive policing presence of New Brighton officers for the upcoming academic year. He commented on the history the New Brighton Public Safety Department has with the Mounds View School District. It was noted the current agreement will include three full-time School Resource

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Public Hearing

Council Business

1. Consider Approval of Agreement between the City of New Brighton and Mounds View School District for School Resource Officers (SRO).

Officers: Officer Thai Xiong at Irondale High School; Officer DeAndre Clarke at Highview Middle School; and Officer Brianna Riedel serving Bel Air Elementary School, Sunnyside Elementary School, Pike Lake Education Center, and Early Childhood Education Center. He commented further on the role of the officers in schools along with the cultural competency of policing in schools and recommended approval of the proposed agreement.

Darin Johnson, Executive Director of School Management for Mounds View School District, commented on the value the school district places on the City's SRO's. He reviewed district survey data and noting 92% of district parents reported out district provides a safe learning environment for students and families. He stated this wouldn't be possible with the positive relationship the district has with its SRO's. He believed the SRO's were a part of the school administrative team. He indicated the SRO's are not viewed as disciplinarians for students who are not making the best choices, but rather this is managed by staff. He discussed how SRO's assist the district with community building events. He stated he looks forward to continuing to work with the New Brighton Public Safety Department's SRO's for the 2022-2023 school year.

Councilmember Dunsworth stated she was pleased to the SRO's had such a positive relationship with the Mounds View School District. She explained she had some questions about the SRO's and how they are presented in the school. She questioned if the SRO's are uniformed. Public Safety Director Paetznick explained all SRO's are dressed as a member of the community which meant they could be dressed in their full uniform, khaki's and a polo, or school spirit gear while still having all of their tools available to do their job.

Councilmember Dunsworth stated she was pleased to learn the SRO's had a relaxed policy for their attire. She indicated she did not want the presence of the SRO's to be triggering for students of color. She requested further information on the type of work the SRO's were doing within the schools. She inquired if a social worker could be hired to do the duties of an SRO.

Mr. Johnson explained the relationships that are built with the SRO's were mutually beneficial both during the school day and throughout the summer. He stated it was not uncommon for students to continue relationships with SRO's in their home and throughout the community.

Mike Schwartz, Risk Management for Mounds View School District, commented it was so much more than having a police officer in the community. He reported it was about building community and partnering. He explained he truly appreciated the relationship the school district had with the New Brighton Public Safety Department. He stated it was so much more than just the safety aspect, but rather was a partnership.

Councilmember Dunsworth inquired how the model or interactions with students have changed in the past few years. Mr. Johnson stated there has been stronger communication and a collaborative effort to ensure the SRO's were working in the building how they can best support the school. Mr. Schwartz commented on how students have changed over the past 20 years and explained he believed the New Brighton Police Department did a wonderful job communicating with the public. Public Safety Director Paetznick stated the SRO program was unique because there was a female officer and two officers of color serving in the schools. He believed these individuals were serving as great role models for students in the community.

Councilmember Abdulle explained it was really great to hear praise from the school district for the SRO's. He thanked Public Safety Director Paetznick for his great leadership. He requested further information regarding the student to staff ratio for student to staff ratio for staff members such as social workers, mental health professionals, nurses, etc. Mr. Johnson reported the school district used the DEAN model which meant the ratio of student to deans is approximately 1:250. He stated each school had a school nurse onsite daily, with some schools have a shared nurse. He noted the school district also had an Executive Director for Student Support and Engagement that works to meet the needs of students.

Councilmember Abdulle questioned how the school district prioritizes the needs of students. Mr. Johnson reported the school dean arrangement was contractual and the number of deans working in the district was set in the teacher's contract.

Councilmember Abdulle commented on the changing demographics within the school district and requested further information on who responded to the school districts survey. Mr. Johnson explained the school district members who responded to the survey were representative of the families within the school district. He noted 38% were New Brighton residents and indicated the survey results would be available from the Communications Department. He explained he did not have all of the data in front of him.

Councilmember Abdulle questioned if there was any special training SRO's underwent knowing they would be dealing with young people. Public Safety Director Paetznick commented on the National Association of School Resources Course that SRO's have to attend. He stated this course provided specific school based police training.

Councilmember Allen asked what type of equipment officers have on them during a school day. Public Safety Director Paetznick reported SRO's will always have a firearm and other tools on their utility belt.

Councilmember Axberg stated it was her understanding the contract with the school district covers the cost for the SRO's. She inquired if the school district has ever considered negotiating a multi-year contract. Public Safety Director Paetznick reported 100% of the pay for the SRO's is paid for the nine months the officers are working for the school district. He indicated a multi-year contract was being considered by both sides with an appropriate opt-out option.

Councilmember Axberg stated given the long-standing positive relationship the department has with the school district, a multi-year contract would be something that should be considered.

Councilmember Abdulle requested further information on the number of arrests that were completed in the schools each year. Public Safety Director Paetznick commented on how the number of school arrests have dropped since the 1990's when SRO's were implemented. He reported the number of arrests was in the single-digits over the past two and three years. He credited the SRO's and Diversion program for their tremendous work in the community. Mr. Schwartz commented on his experience with SRO's noting it was not the schools intention to make arrests at school unless there was a serious criminal offense. He reported school was a safe place and he wanted this to continue. He reiterated there has been very few arrents during his time working with the school.

Mayor Niedfeldt-Thomas requested information on how the school district handles truancy. Mr. Johnson described how the administrators personalize and individualize their approach with students that are truant in the Mounds View School District. He reported administrators manage these situations without SRO's.

Mayor Niedfeldt-Thomas questioned how the school would react to a student who brought a knife to school. Mr. Schwartz discussed how administrators handle this issue with the student and their parents.

Mayor Niedfeldt-Thomas requested further information on the training the SRO's receive to address school shooting situations. Public Safety Director Paetznick reported this was an ongoing training topic for officers and discussed the active shooter joint training his officers received with Allina EMS. He commented further on the situational training his officers and officers from Ramsey County received at old Korean Church prior to it being demolished. He was of the opinion his officers were well prepared for a situation like this. Mr. Johnson reported the State of Minnesota requires all schools to do five lock down drills a year. He commented on the crisis manual that was created by staff and thanked Mr. Schwartz for all of his efforts on this manual. Mr. Schwartz commented further on the crisis plan that was in place noting he was working to make sure his people knew their roles and assignments in a crisis situation.

Councilmember Allen thanked the voters for approving a referendum in 2017 that led to security improvements at all of the schools.

Councilmember Abdulle noted not all students may feel safe with a police officer in the building. He questioned if it was necessary for the school district to have three SRO's at this

time. He stated now may be the time to reevaluate this situation. Public Safety Director Paetznick explained if these officers were not at the schools proactively, his officers would be at the schools reactively, which would place a burden on his patrol staff. He commented on how the roving SRO was already responsible for being at four different schools. He indicated he would like more officers on the streets, but he believed the SRO's were a good allocation of the department's resources. He further discussed the short and long-term benefits of working with the schools.

Motion by Councilmember Allen, seconded by Councilmember Axberg to approve the Agreement between the City of New Brighton and the Mounds View School District for School Resource Officer (SRO) services at Irondale High School, Highview Middle School, Bel Air Elementary School, Sunnyside Elementary School, Pike Lake Education Center, and Early Childhood Education Center for school year 2022-2023.

4 Ayes, 1 Nay (Councilmember Abdulle)-Motion Carried

Councilmember Dunsworth stated while she voted to support this agreement because this matter was brought to the City Council by the Mounds View Public School District. She explained she supported the school district and Public Safety Department exploring other options.

2. Consider Ordinance 892: An Ordinance to Update Rental Licensing Requirements for Residential Housing Units Throughout the City.

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An Ordinance to Update
Rental Licensing
Requirements for
Residential Housing Units
Throughout the City.

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 in February of this year, Council held a series of Work Session meetings focused on various housing related issues including Accessory Dwelling Units, rental licensing of residential units, and licensing inspection procedures. As a result of those meetings and discussions, staff was directed to prepare an ordinance to require licensing and inspection of all rental dwelling units in the City. It was noted this Ordinance would be reviewed by the Equity Commission in September prior to the Ordinance being considered a final time by the City Council. Staff commented further on the proposed Ordinance, noted the changes that were recommended by legal counsel and requested feedback from the Council.

Councilmember Abdulle stated he did not want tenants to be removed or their rights violated through this Ordinance. Assistant Director of Community Assets and Development Gozola commented further on how disorderly conduct matters would be addressed by the City.

Councilmember Dunsworth recalled that disorderly matters would be addressed by the Public Safety Department to see if there was relationship issue, or a tenant issue.

Councilmember Abdulle wanted to be assured the City was providing healthy, livable conditions for people without the City getting into policing how people live their day to day lives.

Councilmember Axberg reported some tenants are disorderly and their neighbors want regulations in place.

Councilmember Abdulle anticipated tenants would feel threatened if an officer showed up at their home.

Further discussion ensued regarding State Statute 609.72 and how it addresses disorderly conduct.

Councilmember Dunsworth stated she supported the disorderly conduct language remaining in the Ordinance versus having it removed.

Councilmember Axberg agreed this language should remain in place. She reported as a landlord, she would have language in place to address disorderly tenants.

Councilmember Allen requested the Ordinance address excessive mold concerns. Assistant Director of Community Assets and Development Gozola stated he would have to rely on his building officials for this item.

Councilmember Axberg thanked staff for all of their work on this Ordinance. She noted she was a landlord in

several neighboring communities. She supported the City offering leniency on re-inspections if landlords are responsive prior to labeling properties as Class B.

Councilmember Abdulle stated he appreciated the City having minimum standards in place. He questioned if only one application would be used for all rental properties. Assistant Director of Community Assets and Development Gozola explained applications would be completed online and noted staff would be working to make this a streamlined and simple process.

Councilmember Dunsworth noted she has rentals in another community and she believed the Ordinance proposed by staff was boilerplate and would assist the City in maintaining its rental properties.

The Council discussed how the City defined family and further reviewed how boarding houses were addressed by City Code.

Mayor Niedfeldt-Thomas recommended multi-generational language be considered within the Ordinance. Councilmember Allen asked how tenants would be impacted if their landlord were to lose their rental license. Assistant Director of Community Assets and Development Gozola explained he would research this further and would report back to the Council at a future meeting.

Councilmember Allen requested staff review the crime free housing information with the Public Safety Department. Assistant Director of Community Assets and Development Gozola reported the Public Safety Department would be more than happy to speak to the Council regarding the crime free housing program.

Mayor Niedfeldt-Thomas suggested group homes be referenced within this Ordinance.

Councilmember Abdulle thanked staff for all of their work on this Ordinance. He stated he was pleased this Ordinance would be reviewed by the Equity Commission prior to being approved.

Councilmember Allen stated he was pleased the Council was working towards a policy that provided the City a responsible approach on how to manage landlords and tenants in single family homes.

Mayor Niedfeldt-Thomas thanked staff for all of their efforts on this Ordinance. She noted she had several languages she would like staff to address and noted she would be sending Assistant Director of Community Assets and Development Gozola an email to address those matters.

Assistant Director of Community Assets and Development Gozola thanked the Council for their feedback and noted staff would amend the Ordinance prior to bringing it to the Equity Commission for further consideration.

Motion by Councilmember Abdulle, seconded by Councilmember Allen to table action on this Ordinance to the September 27, 2022 City Council meeting.

5 Ayes, 0 Nays - Motion Carried

Commission Liaison Reports, Announcements and Updates

Devin Massopust

City Manager Massopust reported all local streets in the City would have a speed limit of 25 miles per hour on September 1. He explained the Public Safety Department was seeking feedback on their drone policy through the end of the month.

Graeme Allen

Councilmember Allen reported CPY would be holding its 25th Anniversary Birthday Bash on Saturday, September 10 from 12:00 p.m. to 4:00 p.m. at Christ the King Church in New Brighton. He explained he participated in National Night Out and he stated he was happy to be talking with neighbors again and to see how folks were doing. He thanked City Clerk Spangrud, Deputy Clerk Daniloff and all of the election judges for their great work on the primary election. He explained Labor Day would be observed on Monday, September 5.

Emily Dunsworth

Councilmember Dunsworth reported renovations were underway at Sunny Square Park. She explained the park would be complete by mid-November. She indicated the Cable Commission

**Commission Liaison
Reports,
Announcements and
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was seeking a new Executive Director for Nine North. She stated Stockyard Days was a great success again this year.

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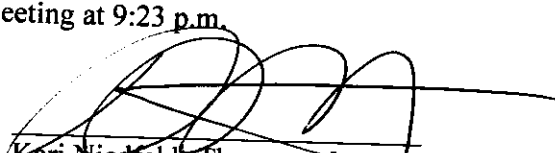
Mayor Niedfeldt-Thomas

Mayor Niedfeldt-Thomas thanked the New Brighton Lions for their leadership with Stockyards Days. She congratulated the New Brighton Ambassadors and noted the antique car run was very pleased with the entire festival. She thanked all of the students who participated in Safety Camp last week. She commented on the matters discussed by the Equity Commission at their last meeting, which was held on Thursday, August 18. She reported the New Brighton cleanup day would be held on Saturday, September 17.

Adjournment

Mayor Niedfeldt-Thomas adjourned the meeting at 9:23 p.m.

Adjournment
The meeting adjourned
at 9:23 p.m.


Kari Niedfeldt-Thomas, Mayor

ATTEST:


Terri Spangrud, City Clerk