



COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday, January 10, 2023 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 (attending remotely), Sarah Sonsalla-City Attorney (attending remotely), Gina Foschi-Finance Director, Ben Gozola-Assistant Director of Community Assets and Development, 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 along with Boy Scout Troop #412.

Public Comment Forum

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

The members of Boy Scout Troop #412 addressed the Council and discussed their favorite parts of scouting.

Approval of Agenda

Approval of the January 10, 2023 Council Agenda.

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. Oaths of Office
 - a. Mayor Kari Niedfeldt-Thomas
 - b. Councilmember Emily Dunsworth
 - c. Councilmember Graeme Allen

City Clerk Spangrud administered the Oath of Office to Mayor Kari Niedfeldt-Thomas, Councilmember Emily Dunsworth and Councilmember Graeme Allen. A round of applause was offered by all in attendance.

Consent Agenda

1. Consider Approval of Payments.

Call to Order

Pledge of Allegiance

Public Comment Forum

Approval of Agenda

Approval of the
January 10, 2023
Agenda.

Special Order of Business

Consent Agenda

1. Consider Approval of Payments.
2. Approve City

2. Approve City Council Minutes:
 - a. December 13, 2022 Worksession Meeting Minutes.
 - b. December 13, 2022 City Council Meeting Minutes.
3. Accept Receipt of Commission Minutes:
 - a. November 14, 2022 Public Safety Commission Meeting Minutes.
 - b. November 2, 2022 Parks, Recreation and Environmental Commission Minutes.
 - c. December 7, 2022 Parks, Recreation and Environmental Commission Minutes.
4. Consider Resolution Designating Institutions as Depositories of City Funds for Investment Purposes and Naming the Primary Depository for 2023.
5. Consider Resolution Delegating Authority to make Electronic Funds Transfers to the Finance Director and their designees for 2023.
6. Consider Resolution Appointing Liaisons to Public Agencies.
7. Consider Resolution Appointing Acting Mayor for 2023.
8. Consider Resolution Designating Legal Newspaper for 2023.
9. Consider Resolution to Enter Into a New Agency Delegated Contracting Process Agreement Between The Minnesota Department of Transportation and The City of New Brighton.
10. Consider Approval of Plans and Specifications and Authorization to Advertise for Bids for City Project 21-9, Old Highway 8 – 3 Lane Conversion.
11. Consider Approval of a Tobacco License for HA Smokeys Tobacco Inc.
12. Consider a Resolution Authorizing the Execution and Delivery of Ramsey County Critical Corridor Grant Agreements.
13. Consider Authorization to Replace (10) Motorola APX2500 Portable Radios with (10) Motorola APX6000 Portable Radios with Associated Parts and Services.
14. Consider Approval of Renewal Application for Optional Liquor 2AM License – Cowboy Jack's.
15. Consider Resolution Establishing a Temporary Utility Bill Account Classification and Setting Utility Rates to be Charged in 2023.
16. Consider Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1804.

- Council Minutes:
 - a. December 13, 2022 Worksession.
 - b. December 13, 2022 City Council.
3. Accept Receipt of Commission Minutes:
 - a. November 14, 2022 Public Safety.
 - b. November 2, 2022 PREC Minutes.
 - c. December 7, 2022 PREC Minutes.
4. Resolution Designating Institutions as Depositories of City Funds for Investment Purposes and Naming the Primary Depository for 2023.
5. Resolution Delegating Authority to make Electronic Funds Transfers to the Finance Director and their designees for 2023.
6. Resolution Appointing Liaisons to Public Agencies.
7. Resolution Appointing Acting Mayor for 2023.
8. Resolution Designating Legal Newspaper for 2023.
9. Resolution to Enter Into a New Agency Delegated Contracting Process Agreement Between The MNDOT and the City of New Brighton.
10. Approval of Plans and Specs. and Authorization to Advertise for Bids for City Project 21-9.
11. Approval of a Tobacco License for HA Smokeys Tobacco Inc.
12. Resolution Authorizing the Execution and Delivery of Ramsey County Critical Corridor Grant Agreements.
13. Authorization to Replace (10)

17. Consider Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1803.
18. Consider Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1802.
19. Consider Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1711.
20. Consider Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1710.
21. Consider Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1410.
22. Consider Authorization for Staff Enter into an Agreement with Baycom Inc. to Replace Police Body Worn Cameras.
23. Consideration of Resolution to Acknowledge and Accept Change for the Better Donations Received in 2022.
24. Consider authorization of staff to enter agreement with Stratus Building Solutions for cleaning of NBCC.

Motorola APX2500 Portable Radios with (10) Motorola APX6000 Portable Radios with Associated Parts and Services.

14. Approval of Renewal App. for Optional Liquor 2AM Lic.— Cowboy Jack's.

15. Resolution Establishing a Temp. Utility Bill Account Classification and Setting Utility Rates to be Charged in 2023.

16. Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1804.

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21. Authorization to Purchase a 2023 Ford Police Interceptor Utility Hybrid to Replace Unit 1410.

22. Authorization for Staff Enter into an Agr. with Baycom Inc. to Replace Police Body Worn Cameras.

23. Resolution to Acknowledge and Accept Change for the Better Donations Received in 2022.

24. Authorization of Staff to Enter Agr. with Stratus Building Solutions for cleaning of NBCC.

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

5 Ayes, 0 Nays - Motion Carried

Public Hearing

None.

Council Business

1. Ordinance Review:
 - a. Consider Approval of Ordinance 893: An Ordinance Amending Chapters 2 & 6 of the New Brighton Zoning Code Eliminating the City's Existing Mixed Use Districts in Favor of New Mixed Use Zoning Regulations to Govern the Various Lands Guided and Zoned for Mixed Use throughout the City.
 - b. Consider approval of the Summary Publication Resolution for Ordinance 893.

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 Ordinance 893 is intended to establish new mixed use zoning regulations for the City. The proposed language would replace existing mixed use requirements with new regulations that follow the recommendations of the recently completed Vision Silver Lake Road 2040 project. Staff commented further on the proposed Ordinance, noting the six mixed use notes that were included and reported the Planning Commission recommends approval.

Councilmember Allen requested further information regarding the building step back requirements. Assistant

Public Hearing**Council Business**

1. Ordinance Review:
 - a. Consider Approval of Ordinance 893: An Ordinance Amending Chapters 2 & 6 of the New Brighton Zoning Code Eliminating the City's Existing Mixed Use Districts in Favor of New Mixed Use Zoning Regulations to Govern the Various Lands Guided and Zoned for Mixed Use throughout the City.
 - b. Consider approval of the Summary Publication Resolution for Ordinance 893.

Director of Community Assets and Development Gozola reviewed the building step back requirements within the MUR zoning district in further detail with the Council.

Councilmember Allen reported he had some concerns with the proposed setbacks and how snow storage would impact the mixed use areas. He stated he wanted to ensure sidewalks remained open for pedestrians within these redevelopment areas.

Councilmember Abdulle recommended curb cuts be staggered so as not to adversely impact those with limited mobility or in wheelchairs. He requested further information on how this ordinance would address alternative energy sources. Assistant Director of Community Assets and Development Gozola discussed the solar energy components within the ordinance.

Mayor Niedfeldt-Thomas asked what type of materials can be used on outdoor patios. Assistant Director of Community Assets and Development Gozola described how staff would work with developers to address the materials used on outdoor patios within the mixed use zoning district.

Mayor Niedfeldt-Thomas questioned if the Planning Commission supported staff's recommendations for the parking requirements. Assistant Director of Community Assets and Development Gozola reported the Planning Commission recommended the City go away from the HKGi minimum and supported the 1.5 parking standard. He commented further on how staff had worked flexibility into the code language.

Mayor Niedfeldt-Thomas inquired if measures were considered to include electric vehicle charging stations within this Ordinance. Assistant Director of Community Assets and Development Gozola stated this Ordinance did not address EV charging stations at this time. City Manager Massopust reported the State was addressing this topic within the State Building Code.

Councilmember Abdulle stated he would like to see recommendations from the Climate Action Plan incorporated into this Ordinance at some point in the future.

Councilmember Allen stated on street parking and overnight parking has been a concern in the City for some time. He suggested these matters be further discussed at a future workshop meeting. City Manager

Massopust stated staff could bring on street parking back to the Council at a future workshop meeting.

Councilmember Allen recommended language be added to the Ordinance that the City of New Brighton does not allow on street parking overnight. Assistant Director of Community Assets and Development Gozola stated he would add this language. Further discussion ensued regarding the City's parking requirements and how they have impacted recent developments.

Mayor Niedfeldt-Thomas clarified that Article 6 would not be removed from this Ordinance. Assistant Director of Community Assets and Development Gozola reported this was correct.

Mayor Niedfeldt-Thomas asked what the Zoning Code Steering Committee would be addressing next.

Assistant Director of Community Assets and Development Gozola reported this group would be focusing on uses via a separate Ordinance.

Mayor Niedfeldt-Thomas questioned how long it would take until the work on the Zoning Code Steering Committee was complete. Assistant Director of Community Assets and Development Gozola anticipated this would be towards the end of 2023.

Councilmember Abdulle thanked the Planning Commission for all of their input on this Ordinance. Assistant Director of Community Assets and Development Gozola commented on the recommendations the Planning Commission made with respect to this Ordinance.

Councilmember Abdulle stated he would like more time to review the proposed Ordinance before it was approved. He supported tabling action on the Ordinance to a future Council meeting. Assistant Director of Community Assets and Development Gozola reported the Council could take this action.

Councilmember Abdulle explained he would like to see this Ordinance updated once the Climate Action Plan was complete. City Manager Massopust reported staff could have an understanding with the Council that when these other studies were completed staff would have to address how current Ordinances would be impacted.

Councilmember Axberg reported she could support approving the Ordinance this evening, but would be willing to wait if a Councilmember wanted to table action.

Motion by Councilmember Allen, seconded by Councilmember Abdulle to table action on Ordinance 893 to the January 24, 2023 City Council meeting.

3 Ayes, 1 Nay (Councilmember Dunsworth), 1 Abstain (Councilmember Axberg)-Motion Carried

2. Consider Resolution Authorizing Early Decertification of the City of New Brighton's Tax Increment Financing District No. 27 – Ken's Market (Cleveland and County Rd D).

City Manager Massopust indicated Finance Director Foschi would be presenting this item to the Council. Finance Director Foschi stated this redevelopment district no longer has any outstanding obligations and is recommended to be decertified as of December 31, 2022. Staff reported on January 22, 1999, the City certified TIF District 27 to assist with the development of a 3,200 square foot convenience store, a 1,200 square foot coffee shop, and a 12,000 square foot two-story office building. By decertifying TIF District No. 27 as of December 31, 2022, the City's overall tax capacity will be increased. For taxes payable 2023, the preliminary captured tax capacity of District No. 27 is \$33,806. Staff commented further on the proposed TIF District Decertification and recommended approval.

Motion by Councilmember Dunsworth, seconded by Councilmember Abdulle to approve a Resolution authorizing early decertification of TIF District No. 27 – Ken's Market (Cleveland and County Road D).

5 Ayes, 0 Nays-Motion Carried

Commission Liaison Reports, Announcements and Updates**Devin Massopust**

City Manager Massopust reported the City received 30 applications for the CAP Committee. He noted this group would hold its first meeting on Thursday, January 12. He thanked residents for their patience during the recent snow events and thanked the Public Works Department for their great efforts clearing the City's streets.

Graeme Allen

Councilmember Allen reported the Public Safety Commission met on Monday, January 9 where the group discussed the departments use of force policy and how internal investigations are conducted. He discussed how calls for service were up for both police and fire. He encouraged residents to consider adopting a fire hydrant and keep the fire hydrant on their street free and clear of snow.

Emily Dunsworth

Councilmember Dunsworth reported PREC met on Wednesday, January 4 and discussed signage and sponsorship on the City's ballfields. She encouraged residents to also clear out and around their mailboxes for the USPS.

Pam Axberg

Councilmember Axberg reported the EDC met on Wednesday, January 4 and received a presentation from the Twin Cities North Chamber of Commerce and discussed the Corridors of Commerce grant the City received and what type of banners should be created for the City.

Abdullahi Abdulle

Councilmember Abdulle reported the Planning Commission would not be meeting in January. He discussed how overwhelmed the postal service was at this time and encouraged residents to be gentle with the local postal workers.

2. Consider Resolution Authorizing Early Decertification of the City of New Brighton's Tax Increment Financing District No. 27 – Ken's Market (Cleveland and Cty Rd D).

Commission Liaison Reports, Announcements and Updates

Mayor Niedfeldt-Thomas

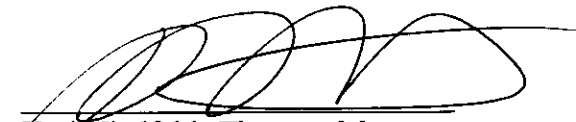
Mayor Niedfeldt-Thomas thanked the Parks and Recreation team for organizing a visit for her to three senior facilities in New Brighton. She reported the Equity Commission reviewed the community survey results in December. She noted she recently attended an 8 Cities Mayor/Manager meeting where the group discussed recent election results. She explained the Ice Castles were now open in New Brighton. She stated the indoor winter market would be held on Wednesday, January 11 at the Community Center from 3:00 p.m. to 7:00 p.m. She indicated the community bonfire would be held on Friday, January 27. She reported the Council would be holding a Priority Setting Retreat on Saturday, January 21. She noted applications for commission positions would be taken now through February 14.

Adjournment

Mayor Niedfeldt-Thomas adjourned the meeting at 9:04 p.m.

Adjournment

The meeting adjourned at 9:04 p.m.


Kari Niedfeldt-Thomas, Mayor

ATTEST:


Terri Spangrud, City Clerk