



COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday, January 24, 2023 at 6:30 pm in the New Brighton Council Chambers.

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

Also Present: Devin Massopust-City Manager, Sarah Sonsalla-City Attorney, Gina Foschi-Finance Director, Ben Gozola-Assistant Director of Community Assets and Development (attending remotely)

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. There were no comments from the public.

Approval of Agenda

Approval of the January 24, 2023 Council Agenda.

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

4 Ayes, 0 Nays-Motion Carried

Special Order of Business

1. Presentation from John Connelly, President of Twin Cities North Chamber of Commerce.

John Connelly, President of Twin Cities North Chamber of Commerce, introduced himself to the Council and thanked them for their time. He explained the vision for the Chamber was to promote business, develop leaders and connect communities. He discussed the new initiatives that had begun at the Chamber. He noted the Chamber currently had just over 300 members from seven different cities. He reported the Chamber had a healthy fund balance with five months reserves and no debt. He encouraged the Council to consider attending an upcoming program or event and thanked Ben Gozola for attending events on behalf of the City of New Brighton. He commented on the makeup of the nine member Chamber Board. He then discussed the new initiatives the Chamber was pursuing which included the manufacturing cohort. He commented on the Chamber opportunities noting he enjoyed participating in grand openings, engaging in new initiatives, bringing important items to businesses and sharing vital news with the community. He thanked New Brighton for being an inviting community for the community and its businesses.

Call to Order

Pledge of Allegiance

Public Comment Forum

Approval of Agenda

Approval of the January 24, 2023 Agenda.

Special Order of Business

1. Presentation from John Connelly, President of Twin Cities North Chamber of Commerce.

Mayor Niedfeldt-Thomas asked how many businesses were involved in the Manufacturing Cohort. Mr. Connelly stated he had 18 businesses involved to date. He noted he would like to grow this to 35 businesses.

Consent Agenda

1. Consider Approval of Payments.
2. Approve City Council Minutes:
 - a. January 10, 2023 Worksession Meeting Minutes.
 - b. January 10, 2023 City Council Meeting Minutes.
3. Accept Receipt of Commission Minutes – None.
4. Consider Resolution Amending the Capital Asset Policy.
5. Consider Resolution Authorizing Application and Execution of the 2020 MCES Inflow and Infiltration Grant.
6. Consider Final Payment, Partial Payment 3 for City Project 21-4, 2021 Sanitary Sewer Lining Project.
7. Consider Resolution Accepting the 2022 Santa Cop Donations.
8. Consider a Resolution Ratifying the City Council's Approval of the Vacation of a Portion of 7th Avenue NW And 7th Street NW.

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

4 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. He provided a brief history on this

Consent Agenda

1. Consider Approval of Payments.
2. Approve City Council Minutes:
 - a. January 10, 2023 Worksession.
 - b. January 10, 2023 City Council.
3. Accept Receipt of Commission Minutes – None.
4. Resolution Amending the Capital Asset Policy.
5. Resolution Authorizing App. and Execution of the 2020 MCES Inflow and Infiltration Grant.
6. Consider Final Payment, Partial Payment 3 for City Project 21-4.
7. Resolution Accepting the 2022 Santa Cop Donations.
8. Resolution Ratifying the City Council's Approval of the Vacation of a Portion of 7th Avenue NW and 7th Street NW.

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.

Ordinance, reviewed the minor updates that were made to the Ordinance since the January 10 City Council meeting and recommended approval of Ordinance 893.

Mayor Niedfeldt-Thomas reported new recommendations may come forward regarding parking from the Climate Action Plan or parking study. She asked if an amendment should be considered for this Ordinance. Assistant Director of Community Assets and Development Gozola explained this would automatically happen, as would happen with any study that was completed by the City. He noted staff would bring options to the Council if changes to the Ordinance were necessary once the Climate Action Plan and parking study were completed.

Motion by Councilmember Abdulle, seconded by Councilmember Dunsworth to approve 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 noting this Ordinance would be revisited if there were any staff recommendations for changes resulting from the planned parking study or Climate Action Plan.

Councilmember Axberg asked if it was necessary to require staff to bring this item back. Councilmember Dunsworth stated she believed there was value in bringing the item back to ensure this Ordinance aligned with the parking study and Climate Action Plan.

3 Ayes, 0 Nays, 1 Abstain (Councilmember Axberg)-Motion Carried

Motion by Councilmember Abdulle, seconded by Councilmember Dunsworth to adopt a Resolution approving the Summary Publication of Ordinance 893.

4 Ayes, 0 Nays-Motion Carried

2. Ordinance Review

- a. Consider Approval of Ordinance 897: An Interim Ordinance Temporarily Establishing a Licensing and Planning Moratorium on the Establishment or Expansion of Tobacco Shops.
- b. Consider approval of the Summary Publication Resolution for Ordinance 897.

City Manager Massopust explained at the January 10 work session staff brought to the attention of the Council that we have a higher rate of standalone tobacco shops than our surrounding communities (1 per 3,792 residents; the next highest of surrounding communities is 1 per 5,918 residents). The discussion was brought forward in light of continued interest in tobacco license applications. The ask of Council at the 1/10/23 meeting was if there was desire to make any changes to our licensing requirements to address the rate. The City Council asked generally that a moratorium be put in place so that there could be time to consider proposals and consider the discussions around them. The Ordinance under consideration would prohibit any new applications for tobacco shop licenses, as well as any expansions of existing ones. This prohibition would be in place for one year beginning after publication of said ordinance. The City Council has this authority under Minnesota Statutes as well as under its authority to adopt business licensing requirements related to tobacco products. This moratorium would not apply to tobacco licenses for premises who have less than 40% of their monthly revenue come from tobacco related sales (liquor stores, grocery stores, gas stations, etc.) The moratorium does not apply to a tobacco shop that needs to renew its license and that existed prior to the effect date of the ordinance and does not impact the continued operation of already existing tobacco shops. Next steps will include education around tobacco related issues in New Brighton and discussion on potential licensing restrictions for tobacco shops.

2. Ordinance Review
a. Consider Approval of Ordinance 897: An Interim Ordinance Temporarily Establishing a Licensing and Planning Moratorium on the Establishment or Expansion of Tobacco Shops.
b. Consider approval of the Summary Publication Resolution for Ordinance 897.

Councilmember Axberg asked if the City had any pending tobacco applications. City Manager Massopust reported there were no pending applications.

Councilmember Axberg questioned how long it would take staff to review the policies. City Manager Massopust anticipated this would take three months to complete, plus time for conversations with the City Council.

Councilmember Abdulle supported the Council having further conversations regarding flavored tobacco especially regarding how flavored tobacco was impacting youth. City Manager Massopust reported this topic could be included in future conversations.

Mayor Niedfeldt-Thomas explained she would be interested in seeing the total number of tobacco licenses in New Brighton and where they were located. In addition, she wanted to learn why some cities only allowed one standalone tobacco shop and what parameters other cities have in place for regulating tobacco shops.

Motion by Councilmember Dunsworth, seconded by Councilmember Axberg to adopt Ordinance 897, an Interim Ordinance Temporarily Establishing a Licensing and Planning Moratorium on the Establishment or Expansion of Tobacco Shops.

4 Ayes, 0 Nays-Motion Carried

Motion by Councilmember Abdulle, seconded by Councilmember Dunsworth to adopt a Resolution approving the Summary Publication of Ordinance 897.

4 Ayes, 0 Nays-Motion Carried

Commission Liaison Reports, Announcements and Updates

Devin Massopust

City Manager Massopust reported the City was taking applications for Commission positions through February 14. Materials for these positions could be found on the City's website. He explained the City received \$2 million in build draft for implementation of quiet zones in New Brighton. He stated the LMC would be hosting a race equity workshop at the New Brighton Community Center on Wednesday, January 25. He reported next week he and the Mayor would be meeting with officials from the Mounds View School District.

Abdullahi Abdulle

Councilmember Abdulle reported the Planning Commission for January was canceled. He explained the Planning Commission would meet next on Tuesday, February 21. He thanked staff for hosting a great strategic planning session on Saturday, January 21.

Mayor Niedfeldt-Thomas

Mayor Niedfeldt-Thomas explained she attended the Totem Pole Park open house last week. She thanked all of the community members that were able to attend this meeting. She thanked staff and the Council for another great strategic planning session. She reported she attended a North Metro Mayors meeting and the group discussed legislative priorities and would be hosting a day at the capitol on March 15. She stated she was invited to attend the Public Safety Awards event which was held on Monday, January 23. She explained the Council would be meeting next on Tuesday, February 7. She invited the public to attend the community bonfire on Friday, January 27. She reported details regarding this event could be found on the City's website or Facebook page.

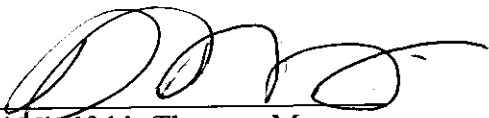
**Commission Liaison
Reports,
Announcements and
Updates**

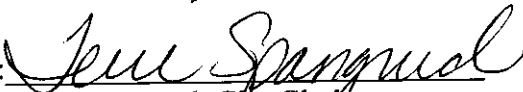
Adjournment

Mayor Niedfeldt-Thomas adjourned the meeting at 7:23 p.m.

Adjournment

The meeting adjourned
at 7:23 p.m.


Kari Niedfeldt-Thomas, Mayor

ATTEST: 
Terri Spangrud, City Clerk