



COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday, September 26, 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, Sarah Sonsalla-City Attorney (attending remotely), Gina Foschi-Finance Director (attending remotely), Jennifer Fink-Parks and Recreation 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.

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 September 26, 2023 Council Agenda.

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

5 Ayes, 0 Nays-Motion Carried

Special Order of Business

1. Proclamation declaring October 9, 2023 as Indigenous Peoples' Day.

Mayor Niedfeldt-Thomas read a proclamation in full for the record declaring October 9, 2023 to be Indigenous Peoples' Day in the City of New Brighton. She thanked DEI Coordinator Hue Schlieu for her efforts on this proclamation and the City's land acknowledgement.
 Councilmember Abdulle appreciated how the City Council was acknowledging the land we sit on was indigenous land and that there was a lot of history, and that this community would try to do better.

Consent Agenda

1. Consider Approval of Payments.
2. Approve City Council Minutes:

Call to Order

Pledge of Allegiance

Public Comment Forum

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Approval of the September 26, 2023 Agenda.

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Consent Agenda

1. Consider Approval of Payments.
2. Approve City Council Minutes:
 - a. September 12, 2023 Worksession.

- a. September 12, 2023 Worksession Meeting Minutes.
- b. September 12, 2023 City Council Meeting Minutes.
3. Accept Receipt of Commission Minutes:
 - a. July 10, 2023 Public Safety Commission Meeting Minutes.
 - b. August 14, 2023 Public Safety Commission Meeting Minutes.
 - c. June 20, 2023 Planning Commission Minutes.
 - d. July 18, 2023 Planning Commission Minutes.
4. Consider Approval of Land Acknowledgment Statement.
5. Consider Authorization to Purchase a 2024 John Deere Gator TE (Electric).
6. Consider Application for a Solicitor License for Legacy Restoration LLC.
7. Consider Authorization to Purchase a 2024 John Deere Gator TX.
8. Consider Professional Service Agreements with E.G. Rud and Sons, Inc. and American Engineering Testing, Inc. for City Project 24-1, 2024 Street Rehabilitation.
9. Consider Resolution Setting a New Public Hearing on a Street ROW Vacation.
10. Consider Acceptance of Grant from Minnesota Police Chiefs Foundation for Community Engagement.
11. Consider Resolution Appointing Individuals to the Equity Commission.
12. Consider Approval of Grant Agreement with the MnDNR for Silver Oaks Park Reconstruction.

3. Accept Receipt of Commission Minutes:
 - a. July 10, 2023 Public Safety Commission.
 - b. August 14, 2023 Public Safety Commission.
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10. Acceptance of Grant from Minnesota Police Chiefs Foundation for Community Engagement.
11. Consider Resolution Appointing Individuals to the Equity Commission.
12. Consider Approval of Grant Agreement with the MnDNR for Silver Oaks Park Reconstruction.

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

5 Ayes, 0 Nays - Motion Carried

Public Hearing

1. Consideration of Resolution Consenting to the Issuance of Health Care Facilities Revenue Bonds by the Duluth Economic Development Authority to Finance a Project in the City.

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City Manager Massopust indicated Finance Director Foschi would be presenting this item to the Council. Finance Director Foschi stated a public hearing must be held, and a resolution adopted, to give host approval to the Duluth Economic Development Authority (DEDA) to issue Health Care Facilities Revenue Bonds, Series 2023, in a maximum principal amount of not to exceed \$16,000,000, for the benefit of Benedictine Health System (Benedictine). She reported

Benedictine would be completing projects in New Brighton, Hastings and Winona through this bond issuance. Staff commented further on the City's conduit debt policy and recommended the Council hold a public hearing and adopt a Resolution consenting to the issuance of the bonds.

Motion by Councilmember Abdulle, seconded by Councilmember Allen to open the Public Hearing.

5 Ayes, 0 Nays - Motion Carried

The Public Hearing was opened at 6:39 p.m.

Mayor Niedfeldt-Thomas asked for additional comments, there were none.

Motion by Councilmember Axberg, seconded by Councilmember Allen to close the Public Hearing.

5 Ayes, 0 Nays - Motion Carried

The Public Hearing was closed at 6:40 p.m.

Motion by Councilmember Allen, seconded by Councilmember Dunsworth to adopt a Resolution consenting to the issuance of health care facilities revenue bonds by the Duluth Economic Development Authority to finance a project in the City.

5 Ayes, 0 Nays-Motion Carried

Council Business

1. Consideration of Resolution Adopting the Proposed Preliminary Tax Levy for Taxes Payable 2024 and Setting the Public Meeting Date for the 2024 Budget and Levy Discussion with Public Comment.

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City Manager Massopust indicated Finance Director Foschi would be presenting this item to the Council. Finance Director Foschi stated the City Manager's recommended preliminary 2024 General Fund budget is \$22,798,700, which represents an 8.94% increase over the 2023 adopted budget. The preliminary 2024 budget includes a proposed general tax levy of \$13,766,800 for taxes payable in 2024, which represents an increase of \$1,157,300 or 9.18%. It is recommended that the public meeting for the 2024 budget and levy discussion with public comment be held during the regular City Council meeting on Tuesday, November 28, 2023 at 6:30 p.m. The date, time and place for the scheduled public hearing will be included on the County's parcel-specific notices. She reviewed the levies for comparable cities and discussed how the proposed levy would impact the median value homeowner. Staff commented further on the proposed preliminary tax levy and budget for 2024 and recommended approval. Councilmember Allen reported the Council and staff have had a number of conversations on the proposed budget. He explained there were not a lot of new items in the budget. He noted the main increase in the levy was due to personnel, which makes up the largest portion of the City's budget. He discussed how the proposed budget prioritizes the City Council's goals and objectives.

Mayor Niedfeldt-Thomas inquired when the preliminary tax levy has to be submitted to the County. Finance Director Foschi reported technically the deadline is September 30, but because this falls on a weekend the tax levy had to be submitted to the County by October 2. Mayor Niedfeldt-Thomas requested comment from staff on what the 2025 tax levy will look

like. City Manager Massopust commented on how the 2024 levy would impact the 2025 levy. He stated the Council would have to consider tradeoffs and what they wanted to do versus what they did not want to do going forward.

Mayor Niedfeldt-Thomas asked staff to speak to what was new within the budget. City Manager Massopust reported the City had a new pay plan in place within the 2024 budget. He noted there were no new positions or programs. He indicated the only new capital project was the 2024 street improvement project.

Mayor Niedfeldt-Thomas explained the Council would be setting the preliminary tax levy at this meeting and noted the final levy would be set in December. She stated the proposed levy amount could be reduced between now and December, but could not be increased.

Motion by Councilmember Allen, seconded by Councilmember Abdulle to approve a Resolution adopting the proposed preliminary tax levy for taxes payable 2024 and setting the public meeting date for the 2024 budget and levy discussion with public comment.

4 Ayes, 1 Nay (Councilmember Dunsworth opposed)-Motion Carried

2. Consideration of Resolution Adopting the Proposed Preliminary Tax Levy for Taxes Payable 2024 for Lake Diane and Bicentennial Pond Storm Sewer Improvement Taxing Districts.

City Manager Massopust indicated Finance Director Foschi would be presenting this item to the Council. Finance Director Foschi stated the proposed preliminary tax levies for taxes payable in 2024 for the City's Storm Sewer Improvement Taxing Districts are \$3,750 for the Lake Diane and \$2,100 for the Bicentennial Pond. Staff commented further on the proposed levies for these special storm sewer improvement taxing districts and recommended approval.

Motion by Councilmember Abdulle, seconded by Councilmember Allen to approve a Resolution adopting the proposed preliminary tax levies for taxes payable in 2024 for the Lake Diane and Bicentennial Pond Storm Sewer Improvement Taxing Districts.

5 Ayes, 0 Nays-Motion Carried

3. Consider a Resolution to Enter into a new Five-Year Contract for Recycling Services with Republic Services.

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 following an RFP process initiated in March of 2023 and review of all proposals, Republic Services was selected by the Council in July as the preferred provider for recycling services for the next five years (2024 – 2028) based on base price, environmental factors, clean-up day costs and direct personal service. It was noted the City's original contract with Republic Services (previously known as Allied Waste Services) was signed in 2011. It was noted organics recycling would remain a separate program. He reported Ramsey/Washington County would be launching an organics recycling program in the next few years at no additional cost to the City or residents. Staff commented further on the proposed five-year contract and recommended for approval. Councilmember Abdulle thanked staff for the comprehensive presentation. He asked if the City could organize its own organics recycling. Assistant Director of Community Assets and Development Gozola commented further on what would be involved to move to curbside organics collection for the entire City. He stated the City would have to work with a vendor and new bins would have to be provided. He discussed how the organics program proposed

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through Ramsey/Washington Counties would be conducted through existing vendors by using small organics bags that would be collected in existing bins and these special bags would then be taken to transfer stations.

Councilmember Abdulle asked if the City could change the location of the current organics receptacle bin. Assistant Director of Community Assets and Development Gozola reported the current receptacle was located at the Public Works Facility and residents were allowed to drop off their organics in this bin. City Manager Massopust stated this bin was owned and managed by the County and he would have to speak with Ramsey County to see if they would support the bin being moved to another location.

Councilmember Allen thanked staff for the time that was spent on learning where the County's organics program was. He appreciated learning more about the process and the County's timeline for their curbside organics program.

Mayor Niedfeldt-Thomas supported the City speaking with the County to see if the City could have more receptacles for organics recycling in New Brighton, as well as providing more transparency and communication with the public when it comes to organics pickup. Assistant Director of Community Assets and Development Gozola stated it was his understanding the County was working through the bottlenecks at the transfer stations before pursuing a curbside program.

Mayor Niedfeldt-Thomas stated none of the multi-family residential properties with nine or fewer units were participating in recycling. Assistant Director of Community Assets and Development Gozola reported this was the case. He commented on how staff could work with the property owner if someone were to come forward requesting recycling services.

Beverly Matteson, Republic Services, explained a separate contract would be required for this property and she could assist with putting this in place.

Motion by Councilmember Abdulle, seconded by Councilmember Axberg to approve a Resolution authorizing the Mayor and City Manager to enter into a five-year contract extension with Republic Services for curbside collection of recyclable materials.

5 Ayes, 0 Nays-Motion Carried

4. Consider a Resolution approving a Site Plan authorizing installation of a splash pad facility in Lion's Park.

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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 the City of New Brighton is seeking authorization to supplement the existing park facilities at 600 Park Drive (adjacent to Long Lake Park and the Enclave residential neighborhood) with a new splash pad water feature in accordance with the recently approved 2040 Park & Trail System Master Plan. Aerial photos of the park were reviewed with the Council, along with plans for the splash pad. He reviewed the statutory requirements that were in place from the State of Minnesota and noted this project has already received design approval from the State. He explained the proposed splash pad would not be recirculating but would have fresh potable municipal water at all times due to the fact the City has to pump and treat far more water than it can use on a daily basis because of the agreement the City has in place with the Army. He discussed how water from the splash pad would flow into an adjacent pond that would be filtered and then used to irrigate the park. He described the hours of operation for the splash pad which would be from 9:00 a.m. to 9:00 p.m. Staff commented further on the proposed project and reported the Planning Commission recommended approval with conditions.

Councilmember Dunsworth asked if Searles Street would have "No Parking" signs posted. City Manager Massopust reported the Council has to approve regulatory signs and staff would

be bringing forward a recommendation to post "No Parking" signs on one side of Searles Street.

Councilmember Dunsworth questioned when the splash pad would be open for use throughout the year. Parks and Recreation Director Fink stated this would be weather dependent, but anticipated the splash pad would be open from Memorial Day to Labor Day.

Councilmember Dunsworth suggested the City put some type of cold weather policy to ensure the splash pad was not open if the temperature dropped below 50 degrees. Parks and Recreation Director Fink explained the splash pad would only be operational if children were present and noted staff would be working on an operational policy for the splash pad.

Mayor Niedfeldt-Thomas stated she was very excited for this project to be moving forward. She appreciated the fact the splash pad would have a push button operational feature. She explained she appreciated the Planning Commission's discussion regarding the water usage and supported a sign being posted regarding the water that would be used in the splash pad. Mayor Niedfeldt-Thomas questioned what was currently around the stormwater pond and asked if the City should be installing a fence. Parks and Recreation Director Fink reported the stormwater pond was currently surrounded by tall grasses. She reported the splash pad was further away from the stormwater pond than the playground was. She commented on the amount of tall grasses and reeds that were in place that would keep children from walking through the stormwater pond.

Councilmember Abdulle stated he believed the splash pad was a very exciting opportunity for the entire community and he looked forward to visiting it with his children.

Councilmember Allen agreed this would be a great addition to the City's park system.

Motion by Councilmember Dunsworth, seconded by Councilmember Axberg to approve the Site Plan authorizing installation of a splash pad facility in Lion's Park with conditions as recommended by staff.

5 Ayes, 0 Nays-Motion Carried

Commission Liaison Reports, Announcements and Updates

**Commission Liaison
Reports,
Announcements and
Updates**

Devin Massopust

City Manager Massopust reported Tails on the Trails will be held on Sunday, October 8. He provided the Council with an update on the school resource officer situation and explained the City recently signed a five-year contract with the school district to provide officers in the Mounds View School District.

Graeme Allen

Councilmember Allen reported the Planning Commission met on Tuesday, September 19 where the group discussed the site plan for Lions Park along with being provided an overview of the parking study.

Pam Axberg

Councilmember Axberg reported a Pumpkin Walk would be held in October.

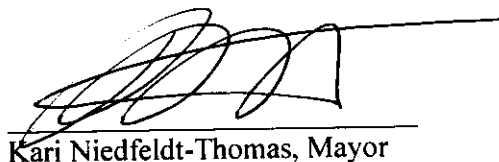
Mayor Niedfeldt-Thomas

Mayor Niedfeldt-Thomas reported the Equity Commission meeting in September was canceled. She commented on the North Metro Mayors meeting she attended last week noting SROs were the main topic of conversation. She explained the City staff participated in the TCAAP Advisory Board Public Hearing that took place last week. She noted she participated in the quarterly New Brighton Business Council meeting for the Twin Cities North Chamber. She indicated she attended a virtual equity conversation with the Regional Conference of

Mayors. She explained she attended a Transportation and General Government Committee meeting for Metro Cities. She reported the farmers market would continue to be held on Wednesdays through the middle of October from 3:00 p.m. to 6:00 p.m. After this time, the market would be moved indoors and would be held once a month at the Community Center. She stated the League of Women Voters would be holding their school board candidate forum on Monday, October 2 at 7:00 p.m. at the New Brighton Community Center. She noted the New Brighton Lions would be holding their chili cookoff on Sunday, October 8 from 12:00 p.m. to 4:00 p.m. She indicated the Irondale Marching Knights would be hosting Music of the Night on Saturday, September 30.

Adjournment

Mayor Niedfeldt-Thomas adjourned the meeting at 7:52 p.m.


Kari Niedfeldt-Thomas, Mayor**Adjournment**

The meeting adjourned
at 7:52 p.m.

ATTEST:


Terri Spangrud, City Clerk