

**REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF VADNAIS HEIGHTS
SEPTEMBER 1, 2020**

The meeting of the Council of the City of Vadnais Heights was held on the above date and called to order by Mayor Gunderson at 7:00 p.m.

ROLL CALL

Upon roll call, the following members were present: Mayor Heidi Gunderson, Council Members: Bob Morse, Patricia Youker and Greg Urban.

The following members were absent: None.

Also present were: Kevin Watson, City Administrator; Tim Sandvik, Assistant City Administrator; Nolan Wall, Planning/Community Development Director; Jesse Farrell, Public Works Director; Chris Hearden, Interim Fire Chief; and Caroline Beckman, City Attorney.

Everyone present stood and said the Pledge of Allegiance.

City Administrator Watson provided several announcements.

APPROVAL OF AGENDA

Mayor Gunderson recommended amending the September 1, 2020 Agenda by adding Consent Item 7C, Acceptance of the Game Time Matching Grant for Kohler Meadows Playground replacement.

Upon motion by Morse, seconded by Youker, it was

20-09-135 “RESOLVED that the Amended September 1, 2020 Regular Meeting Agenda be approved.”

Ayes – 4 Nays – 0

The resolution was adopted.

APPROVAL OF MINUTES

A. August 18, 2020 Regular Workshop Meeting

Upon motion by Morse, seconded by Youker, it was

20-09-136 “RESOLVED that the August 18, 2020 Regular Workshop Meeting minutes be approved as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

B. August 18, 2020 Regular Council Meeting

Upon motion by Morse, seconded by Youker, it was

20-09-137 “RESOLVED, to approve the August 18, 2020 Regular Council Meeting Minutes as presented.”

Ayes – 4 Nays – 0

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Morse, seconded by Urban, it was

20-09-138 “RESOLVED, that the Consent Agenda Items #7A through #7C for the September 1, 2020 meeting be approved as follows:

- A. Consider Approving Claims #79649 Through #79696 and Electronic #1536 Through #1540 for Payment
- B. Consider Approving 2020 Bow Hunting Permits for:
 - 1. Scott Flesch hunting at 3781 Labore Road, 4107 and 3827 Centerville Road, 3485 Willow Lake Boulevard, and 3985, 3933, 3999, 4011 and 4025 Clover Avenue
 - 2. Michael Fahey hunting at 4028 McMenemy
 - 3. Cole Fahey hunting at 4028 McMenemy
- C. Consider Accepting the Game Time Matching Grant for Kohler Meadows Playground Replacement.”

Ayes – 4 Nays – 0

The resolution was adopted.

OPEN TO THE PUBLIC

Mayor Gunderson opened the floor to the public at 7:07 p.m. There being no one that wished to speak, Gunderson closed Open to the Public at 7:07 p.m.

PRESENTATION(S):

- A. Proclamation: National Direct Support Workers Week, September 13-19, 2020

Mayor Gunderson read the proclamation in support of National Direct Support Workers Week, September 13-19, 2020 as follows:

WHEREAS, Direct Support Professionals (DSPs) are the primary providers of community-based long-term support services for thousands of individuals with disabilities in Minnesota; and

WHEREAS, DSPs are valued for their work in building close, respectful, and trusted relationships with individuals to assist them with their most intimate needs; and

WHEREAS, DSPs provide essential support to individuals with disabilities to stay connected to family, friends, coworkers and the community, helping them to define and live a quality life; and

WHEREAS, DSPs provide a broad range of individualized supports, including meal preparation, medication assistance, personal care and life skills training, mobility, work and life enrichment opportunities and other daily tasks; and

WHEREAS, DSPs support informed choices and person-centered practices that honor and respect the individuals with disabilities they serve; and

WHEREAS, an adequate workforce of high-quality DSPs is necessary for the people of Vadnais Heights to meet obligations to people with disabilities and minimize more costly settings such as hospitals or institutions; and

WHEREAS, DSPs are one of the fastest growing positions in America and demand for their skills is great, yet low wages and demographic trends are creating a growing shortage of DSPs, leading to increased turnover.

NOW, THEREFORE, I, Heidi Gunderson, Mayor of the City of Vadnais Heights, do hereby proclaim September 13-19, 2020 as Direct Support Professional Recognition Week.

B. Presentation by NYFS

City Administrator Watson introduced Tara Jehens-Singh, the new President and CEO of Northeast Youth & Family Services. Jehens-Singh presented an overview of the NYFS programs, budget and a summary of services provided. She noted they have seen an increase in mental health needs this year, but a decrease in funding.

Council Member Urban thanked Jehens-Singh for coming out tonight and for her work with NYFS on mental health issues and the side effects of the shutdown. He said that the Council has been trying to spread awareness of the effects and he hopes that NYFS continues to make it known that there are true side effects of the shutdown to the public and that the Council continues to advocate for peoples mental wellbeing. Jehens-Singh noted that NYFS has received a small bit of funding from Ramsey County Children's Mental Health Collaborative which allows people to come in and talk about issues they or their families are having. Urban said that he knows there are a tremendous variety of services that NYFS offers, and asked if they do anything for people that aren't going to school and having what might be their only good meal of the day, and does NYFS do

anything for this. Jehens-Singh responded that NYFS does work with others through partnerships. She said that there are resources out there through the different schools so that they continue to provide meals and Ramsey County offers free meals for people over the age of 18 through the Meals on Wheels program, and they are working with NewTrac who is also delivering meals to older adults.

Urban asked if NYFS has noticed an increase since March with mental health issues and asked Jehens-Singh, do you have any statistics. Jehens-Singh said that the service cost last year for Vadnais Heights clients was about \$25,000, and in the first six months of this year, Vadnais Heights client services costs are at \$24,000. She noted that this increase is seen throughout all of their municipalities.

Council Member Morse thanked Jehens-Singh for coming in. He noted that the residents of the City are working on being proactive, and as a result, the City parks are seeing a lot more usage. He said that the City is also forming a Community Engagement Committee to look to see what some of the issues are in the City, and to have an equity and inclusivity discussion. He asked her to educate him and the Council on items that would be helpful to NYFS' work and to the residents. Jehens-Singh said she would like to take that back to her team to see what sort of initiatives NYFS and the City could work on together. She said the engagement activities that the Council is working on is a positive move because it is important that people know that they are being heard.

Council Member Youker thanked Jehens-Singh for coming in and noted that it is very interesting to hear what NYFS does for the community.

Mayor Gunderson thanked Jehens-Singh and said NYFS is a wonderful organization and does good work in the community. She said that NYFS does so much for the community as a whole. Jehens-Singh said that she appreciates the support.

PUBLIC HEARINGS: None

OLD BUSINESS:

A. Confirm Proposed Spending Plan for CARES Act Dollars

City Administrator Watson gave an overview of the Coronavirus Aid, Relief and Economic Security (CARES) Act passed by Congress on March 27, 2020. He noted that he is looking for the Council to confirm the proposed spending plan. The expenditures have to be related to COVID and be during the period of March 1 to November 15. He said there are examples of categories the funds may be used for but that the City is focused on using it for payroll expenses related to public safety. He noted that the City will have to file its first report to the State on September 15.

Council Member Urban said it was great that the Trump administration sent us almost a million dollars. He asked what percent of our levy does this work out to be. Watson

said that the City is receiving the funds from the State who got the money from the feds. He said the million dollars is about 20% of the City's levy. Urban said that that is a very significant amount. He said he maintains that this money should be used for the public safety expense which will help the City's taxpayers. He said he did read the letters received from the nearby hospitals, but said that the Council needs to look at the letter received from St. John's Hospital which said that the Governor's order banned elective surgeries, and that through that extended lock down, the Hospital lost a lot of revenue.

Gunderson thanked staff for doing the research and the Council for having the discussions. She said the costs incurred due to COVID probably can't all be recovered with these monies but it will help.

Upon motion by Urban, seconded by Youker, it was

20-09-139 "RESOLVED, that the Council confirms the proposed spending plan for CARES Act dollars as discussed."

Ayes – 4

Nays – 0

The resolution was adopted.

B. Community Engagement Committee

Assistant City Administrator Sandvik as discussed at the workshop earlier, the Council has made clear to staff that they wish to increase communication efforts. Mayor Gunderson said that at the earlier Workshop the Council had a discussion about this Committee and decided that membership of the Committee should be 7 and that the membership be spread out geographically, and include perhaps a high school student liaison. Gunderson said that the Council and staff will continue to work on the Committee, and more information will come later.

NEW BUSINESS:

A. Consider Planning Case 20-012: Site Plan Review and Variances at unaddressed parcel on White Bear Parkway

Planning/Community Development Director Wall reviewed Planning Case 20-012 which is noted as the White Bear Parkway development. The applicant is requesting site plan review and variance to construct a 35,478 square foot industrial building. The property is on the east side of I-35E and is currently vacant. Wall reviewed the application. He noted that there will need to be a Joint Powers Agreement with the Town of White Bear for utility service to the site.

Wall noted that the Planning Commission did hold a public hearing on August 25 and at that meeting recommended Council approval. The Commission did receive a letter from a

the Birch Lake Pond Home Owners Association regarding current zoning of the property, and that it appears to be low impact and relatively unobtrusive project to the area, but the Association did raise concerns about the condition of the property, in particular noxious weeds if the property is not developed, and they were also concerned about light intrusion. Mayor Gunderson thanked the applicant for their time and interest in the property and that it seems like a great development and that she appreciates the investment.

Upon motion by Urban, seconded by Morse, it was

20-09-140 “RESOLVED, that the Council adopts a resolution approving the site plan and variance at an unaddressed property on White Bear Parkway, Planning Case 20-012 with the findings of fact and subject to the following 19 conditions:

1. A development agreement between the property owner, and all others with interests in the subject property, shall be entered into with the City, to be recorded at the applicant’s cost with the offices of the Ramsey County Recorder and/or Register of Titles, prior to issuance of a building permit.
2. Building and grading permits shall be submitted for administrative review/approval, prior to commencement of any construction activities on the subject property.
3. Utility connection permits shall be obtained by the property owner from the Town of White Bear.
4. Driveway and right-of-way permits shall be submitted for review and approval by Ramsey County and provided to the City as part of the building permit review process.
5. A Fire Certificate of Occupancy shall be obtained annually from the Fire Department by the responsible party, in compliance with the City Code.
6. A sign permit shall be submitted for administrative review/approval, prior to any sign(s) being installed on the subject property.
7. No outdoor storage of materials, supplies, products, or equipment shall be permitted on the subject property without screening to be approved by the Community Development Department.
8. Roof-top mechanical units shall be of a low-profile variety and ground-mounted units shall be adequately screened, to be administratively reviewed/approved as part of the building permit.

9. Building utility areas shall be adequately screened by plant material and/or fencing and shall not obstruct fire department connections or hydrants, to be administratively reviewed/approved as part of the building permit.
10. Existing vegetation proposed to be preserved shall be done so in compliance with the applicable requirements of Chapter 38, Article IV, Section 601(11) of the City Code.
11. Trash/recycling containers shall be screened on all four sides with the same materials and the doors must remain closed except when items are being placed into or taken out of the enclosure.
12. The off-street parking lot and driveways shall be constructed and operated in compliance with the applicable code standards, to be reviewed/approved administratively as part of the building permit.
13. On behalf of the property owner and at their sole expense and consent, the City of Vadnais Heights and Town of White Bear shall enter into a Joint Powers Agreement to provide utility services to the development.
14. A Private Stormwater Maintenance and Operation Agreement shall be executed between the City and property owner, prior to issuance of the Certificate of Occupancy, which establishes conditions and responsibilities for future maintenance of the on-site private drainage and storm sewer facilities, in compliance with VLAWMO and Minnesota Stormwater Manual requirements.
15. Compliance with the conditions included in the VLAWMO memorandum, dated 07/30/20.
16. Compliance with the conditions included in the SEH memorandum, dated 08/13/20.
17. Compliance with the condition included in the MnDOT memorandum, dated 08/17/20.
18. Compliance with the conditions included in the Fire Department's memorandum, dated 08/19/2020.
19. Compliance with the conditions included in the Director of Public Works/City Engineer memorandum, dated 08/20/20.”

Ayes – 4

Nays – 0

The resolution was adopted.

B. Planning Case 20-011: Craig Ankrum – Variance at 3868 McMenemy Street

Planning/Community Development Director Wall reviewed the applicant’s request for a variance from the applicable accessory building standards in order to construct a 1,200 SF detached garage in the Resident One (R-1) District. He noted that the property currently contains an existing single-family residential dwelling with an attached garage constructed in 1980. Wall noted that staff feel that there are no negative impacts to surrounding properties. Planning Commission conducted a public hearing on August 25, 2020 and one surrounding property owner spoke in favor of the variance request. Planning Commission recommended unanimous recommendation to the Council with four conditions.

Upon motion by Urban, seconded by Morse, it was

20-09-141 “RESOLVED, that the Council adopts a resolution approving a variance at 3868 McMenemy Street, as requested based on findings of fact and the following conditions:

1. A building permit shall be submitted for administrative review/approval, prior to commencement of any construction activities on the subject property.
2. Construction activities shall commence within one (1) year from the date the variance is granted by the City Council, and the approval granted shall be null and voided unless an extension is granted by the City Council in compliance with the applicable Code requirements and procedures.
3. To the greatest extent reasonable, the proposed detached garage shall be architecturally compatible or made with similar materials as the existing dwelling on the subject property.
4. A driveway connection shall be constructed to access the proposed detached garage.”

Ayes – 4 Nays – 0

The resolution was adopted.

C. Planning Case 20-012: Jeff Shepler – Variance at 3554 Searle Court

Planning/Community Development Director Wall reviewed that the applicant is requesting a variance to construct a front porch addition to a single-family detached dwelling in the Residence One (R-1) District. He noted that the subject property contains an existing single-family residential dwelling with an attached garage constructed in 1976. Wall stated that the Planning Commission held a public hearing on this request at its August 25, 2020

meeting. The Planning Commission unanimously recommended approval of the requests in this case.

Mayor Gunderson said that this is a nice ascetic addition to the house. She also said that she appreciates the suggestion by Wall about how to streamline this process for our residents to avoid them having to come here and avoid this process. She asked Wall to look at what other communities are doing and what sort of change we should do to our Code to help eliminate the need to go through this process.

Upon motion by Urban, seconded by Morse, it was

20-09-142 “RESOLVED, that the Council adopts a resolution approving a variance at 3554 Searle Court subject to findings of fact and the following conditions:

1. A building permit shall be submitted for administrative review/approval, prior to commencement of any construction activities on the subject property.
2. Construction activities shall commence within one (1) year from the date the variances are granted by the City Council, and the approval granted shall be null and voided unless an extension is granted by the City Council in compliance with the applicable City Code requirements and procedures.”

Ayes – 4

Nays – 0

The resolution was adopted.

D. Consider Awarding a Contract for 2020 Sewer Lining Work

Public Works Director/City Engineer Farrell noted that before the Council is a resolution accepting the bids and asking to award the contract and authorize him to execute the contract and proceed with the 2020 Sewer Lining work. Farrell noted that each year the City lines some of its sanitary sewer mains. He said that last year the Council authorized a larger budget for this year than it had in past years. Four bids were received.

Council Member Morse asked what it means to extend the life of the sanitary sewer mains. Farrell responded that today sewer mains are constructed out of high density plastic, in the past it was VCP (clay). While they last a long time, tree roots can get into them and eventually the material breaks down. Farrell said that this new lining is a cured in place pipe line that uses fiber and resins with a life expectancy of 50 years.

Upon motion by Urban, seconded by Youker, it was

20-09-143 “RESOLVED, that the Council accepts the tabulation of bids received, awards the contract for the 2020 Sanitary Sewer Lining Improvements to

Hydro-Klean, LLC for the lining of existing sanitary sewer main at a total contract price of \$164,366.40 to be paid from Account 603-470-43031, and authorizes the City Engineer to sign the contract and processed with the work upon review and approval of the contract by the City Attorney.”

Ayes – 4

Nays – 0

The resolution was adopted.

E. Consider Approving Recommendation on Hiring Chris Hearden as Fire Chief as Conditioned by the City Attorney

City Administrator Watson noted that they are excited to recommend to the City Council to hire Chris Hearden as the new Fire Chief. He said that Hearden has been with the City since 2006 and stepped in as Interim Fire Chief when Chief Leier retired in February. Watson said that Hearden is very dedicated to the community and is eager to make improvements to the operations of the Department.

Council Member Urban congratulated Hearden on all he has done since he took over in February, and said he appreciates everything Hearden has done.

Fire Chief Hearden thanked the Council and said he is very excited to move forward in the new position.

Mayor Gunderson said she is very excited to work with Chief Hearden.

F. Consider Authorizing Staff to Post Position for Fire Technician

Assistant City Administrator Sandvik noted that with the approval of Chris Hearden as Fire Chief, a vacancy of Fire Technician will occur and staff are seeking authorization to post the open position. Sandvik noted that this position is budgeted for.

Upon motion by Urban, seconded by Morse, it was

20-09-144 “RESOLVED, that the Council authorizes staff to post the open Fire Technician position.”

Ayes – 4

Nays – 0

The resolution was adopted.

COUNCIL AND DEPARTMENT REPORTS

Public Works Director/City Engineer Farrell updated the Council on the 2020 Street Construction. He noted that on Arcade the base of the asphalt has been completed, and they are now raising structures prior to the final course being laid. He said that on County Road D they will begin paving later this week.

Assistant City Administrator Sandvik said that the Census ends September 30. He said that enumerators will be out and about in the area. He noted that Vadnais Heights has a response rate of over 85%. Sandvik said that staff have been attending meetings with Ramsey County about a complete census count. He noted that those that have not filled out their census forms yet, will have someone coming to their door soon and that the forms can still be filled out online. Sandvik said that the Ramsey County Sheriff's office has said that they will not participate in Night to Unite and that City staff will bring a recommendation to move the first Council meeting in October back to October 6. Also, the Council will need to schedule a special meeting to canvas the elections results, and at this time, it looks like the Council will need to do this on the 12th or 13th of November.

City Attorney Beckman said congratulations to Chief Hearden. She noted that the Court is hoping to get more arraignments on the court calendars.

Council Member Morse noted that he has been talking to different residents and it has come to his attention that there has been a number of break-ins on Centerville Road over by the Water Authority and others have told him that there are a number of vagrant's living in that area as well. He said that this should be brought to the attention of the Sheriff's office. Watson said if someone believes there is someone camping in a park they should call 911 and report it and then a deputy will be sent to check it out. Morse said perhaps the area needs to have increased patrol. Morse asked what kind of measures the City can take as far as a proactive measure given the unrest that has been so close to us. He asked if the City has any plans with regards to responding to a riot.

Council Member Urban noted that he attended a "rally to unite" in Hugo last week. There was a very diverse turnout at Lion's Park in Hugo and it was a peaceful event. He said it's great to see the communities uniting. Urban said it may not be a bad idea to have a planning session at a future Council Workshop to discuss having an emergency plan in place.

Council Member Youker agreed with both Council Members Morse and Urban that we do need to come up with a contingency plan and said that she thinks it would help residents in the City if they knew we had a plan in place. She also congratulated Chief Hearden.

Mayor Gunderson said when the City responded and initiated the curfew there was a plan. There is a process on how to call a City under curfew. She said we probably should take a look at the plan and see how quickly we could respond.

Watson noted that the Sheriff's office is preparing for the outcome of the trial. He is working on bringing the Sheriff's office out to a future meeting and said that perhaps they can advise the City on whether there is a role for the City.

Mayor Gunderson said that the City needs to make sure that it protect the taxpayer's assets in the event there is some major uprising in the community. She also congratulated Hearden and thanked staff for the work on the budget.

Council Member Youker made a motion to adjourn the meeting at 8:26 p.m., seconded by Council Member Morse, meeting adjourned.