

**WORKSHOP MEETING  
OF THE COUNCIL OF THE  
CITY OF VADNAIS HEIGHTS  
MAY 4, 2021**

The workshop meeting of the Council of the City of Vadnais Heights was held on the above date and called to order by Mayor Gunderson at 5:30 p.m.

The following members were present: Mayor Gunderson and Council Members Greg Urban, Patricia Youker, Steve Rogers and Erik Goebel. The following member was absent: None.

Also present were: City Administrator, Kevin Watson; Assistant City Administrator, Tim Sandvik; Planning/Community Development Director, Nolan Wall; City Engineer/Public Works Director, Jesse Farrell; Fire Chief, Chris Hearden; and Deputy Clerk, Peggy Aho.

**1. Discussion about Prosecution with J. Erickson and R. Podvin, EBBQ, and J. Choi and S. Carey, Ramsey County**

City prosecutors, from EBBQ, James Erickson, Jr. and Rich Podvin, gave an overview of what cases they prosecute including traffic violations, thefts from retail stores, DWIs, non-felonies, domestics and assaults. Erickson noted that prosecutions have slowed down in 2020 due to the pandemic and the courts not being open to the public. He noted that there have been no jury trials held since August 2020 but that they just received a letter from the court system which said that jury trials will be resuming. He also said that people that have been in custody will be the first to be tried. Erickson noted that DWI's are down, but some of the DWIs have been double or triple the legal limit. He said that retail thefts are still common, Target and Walmart have always had a lot of thefts but they have good security, so they catch a lot of the thieves, so for the most part, everything has stayed the same except for the DWIs. They said that 2021 seems to be trending the same as 2020. City Attorney Beckman reviewed the differences between petty, repeat or gross misdemeanors.

Council Member Urban asked if EBBQ does anything with juveniles. Erickson responded no, juveniles are handled by the Ramsey County Attorney's office. Urban said he has heard that there has been an increase in domestic violence, and asked if that is true. Erickson responded that domestic violence seems pretty flat, similar to 2019/2018. Urban said that there has been a lot of car and house break-ins and asked if those types of crime are felonies, and if so would they then be handled by the County. Erickson said it depends on the value of the item(s) stolen and that EBBQ tries cases with stolen items valued at \$1,000 or less. Erickson said that there is a State Statute against tampering with a motor vehicle, and they see a fair amount of those cases. Erickson said he doesn't think they've handled any of those cases this past year, because those types of cases are rarely caught. Erickson said that they charge 60 to 65% of the cases referred to them.

John Choi and Sarah Corey, Ramsey County, gave a PowerPoint presentation on case trends in the County. Choi noted that police investigate and then give them the Ramsey County Attorney's office for prosecution. Choi noted that the PowerPoint includes nonemergency call

data, number of adult cases, youth cases, motor vehicle theft cases, aggravated robbery cases, and simple robbery cases. He noted that the presentation includes data on referred and charged adult cases for murder, possession of ammo/fire arm adult cases, 5<sup>th</sup> degree drug cases, and the percent of adults and youths with more than one case referred in a single calendar year. He said that he made a decision during the pandemic that they would not prosecute 5<sup>th</sup> degree drug cases because there are no cases tried at this time. Choi stated that in 2020 they have seen more repeat offenders. He said we should focus our resources on this matter.

The presentation also included data on how COVID 19 has impacted crime and the courts. Choi said that one thing that happened early on in the pandemic was that there was a reduction in the number of people booked into jail and there is a huge increase in backlog.

Sarah Corey talked about Rule 20, rule of criminal procedure and it exists in both juvenile and adult law and requires that the defendant to understand the procedure and assist in their own defense. An examination of incompetency happens after they have been charged. Corey talked about mental illness and incompetency and talked about specific cases that had issues of incompetency.

Choi also discussed the cash bail system in the country which has been the system forever and talked about the Minnesota Freedom Fund and how the County has been dealing with the system of if you have the money you can get out. He said that the Freedom Fund is under some new management/organization and are resetting some of their policies.

Mayor Gunderson thanked all for coming and talking to the Council at this meeting. She asked if when they talk about a 5<sup>th</sup> degree drug charge does it make a difference with what type of drug or the amount. Corey replied that there is a weight for every drug to determine the degree of the charge.

Urban thanked them for coming out and asked what is the solution to having somebody continue to repeat offend and how do we get to that point?

Choi stressed that the public has been conditioned to think that the criminal justice system can actually solve all these problems but he thinks we need to address the underlying mental health issues and some of the solutions rely on communities and family and connecting police to solutions so that people can get the help they need. Choi said we need to address the underlying conditions of the mental health issues and we need to have conversations of restoration of the state program, and also the gap cases, like Rule 20 and then how they can't be committed, there is a gap in what are we doing for those individuals. Choi said we need to figure out a way to connect those services and the help to address the underlying issues. We put so much on police and the courts system to solve these issues, and what we could do is have accountability, get a conviction if they have the right history score, and then we can send someone to prison, but again most people that go to prison don't go for very long period of time. Choi said we also need to have a conversation about what happens when people go into prison because he doesn't think we pay enough attention and some people are coming out worse than when they went in. He asked what return on investment are we getting when someone gets sent to prison.

Urban said that the Sheriff's office said that people/juveniles are getting released so quickly. Choi said that we need to bring the community and the police together to address violent crimes because he thinks that a partnership between the two may make a difference with the young people.

Urban asked what happens with property crimes, which there has been a lot of in the City, and when do we say enough is enough. Choi it gets to the core of Vadnais Heights, because if they don't get figured out it affects the City and people move out. Choi said that the repeat offender law might be able to be utilized for the issue of repeat offenders.

## **2. Discussion on County Park Cameras:**

Urban asked if there is anything he can do to reach out to someone about getting cameras in the parks. City Administrator Watson noted that staff is still waiting for some information on the entirety of the process. Council Member Goebel said he has made initial contact with Commissioner Fretham, and he will contact her again.

This item was held over until the May 18<sup>th</sup> Workshop, due to lack of time.

## **3. Discussion about Water Rates for Gem Lake:**

City Administrator Watson noted that the City made a water connection to a development/neighborhood in Gem Lake some years ago. Gem Lake has a new Mayor and is looking on building a better relationship with Vadnais Heights - they have asked the City to look at how they are currently being charged for water.

Public Works Director/City Engineer Farrell said that Vadnais Heights serves a very small portion of Gem Lake, about 30 properties. The water meter that was installed by their developer is oversized for the development. He said if there was a small water meter there would be a smaller charge. As the meters get bigger they deliver more water and the costs go up. Some of the charges are not just based on consumption but charges are also based on the size of a meter. He said that right now Gem Lake is being charged for a 10 inch water meter, and he would propose that that City charge them at a smaller size, perhaps an 8 or 6 inch meter. Farrell said that the City's Fee Schedule does not have a cost for an 8 inch size as. He said that Gem Lake is currently charged \$2,400 per quarter for the meter. The Mayor of Gem Lake would like Vadnais Heights to consider reducing the fee for them. Farrell said it might be gracious to consider charging them for a 6 or 8 inch meter which would reduce the \$2,400 quarterly charge.

Urban said there is a fixed quarterly fee plus the usage and asked what the average charge for a house would be.

Mayor Gunderson said that at first there were some issues with the meter that was installed and asked if the City was ever made whole on that. Farrell responded yes, eventually the City was made whole. Since then it has been resolved other than the conversations about the higher costs.

Council Member Youker asked if Gem Lake contributes to our waste water, sewer funds. Farrell responded yes, and sewer charges and that Gem Lake is charged at a 1.25 percent higher rate than Vadnais Heights' residents.

Council Member Goebel asked if the City could prorate it based on the size of the meter. Farrell responded that if the Council agrees they would just adjust the fee for the first quarter 2021 and then the Council could revisit the rate for the 8 inch meter on the fee schedule at a later date.

Gunderson said within the JPA who is responsible for the cost if there is a problem. Farrell said that everything is Gem Lakes from County Road E going north.

Urban thinks they (Gem Lake) are getting a tremendous amount of value. And said that the investments our resident made have made it possible for Gem Lake to do this. Farrell suggested that the City reduce the quarterly charge to Gem Lake by going from a 10 inch meter to an eight inch one. He said either way, 8 or 6 inch, would be gracious and temporary. Gunderson said that it seems fair, but just because we didn't have the eight inch meter that they shouldn't pay more than they are getting. Gunderson said that she would support charging them for an 8 inch meter. Council Member Rogers agreed.

Gunderson said that she thinks there are some things the City might want to consider within the JPA with Gem Lake.

Motion by Council Member Youker, seconded by Council Member Goebel to pause the Workshop meeting at 7:06 pm.

Following the Regular Council meeting, Mayor Gunderson called the Workshop back to order at 7:48 p.m. to continue discussing water rates for Gem Lake.

Gunderson noted that her concerns are whether there is a clear cut delineation of responsibilities for repair and potential future meter issues, Mr. Farrell assured her there are. Council asked if the City can amend the rate at any time, and how frequent. Farrell responded that all infrastructures that goes to Gem Lake is Gem Lake's responsibility. He noted that before the Council tonight is consideration of reducing the utility bill. He noted said that the Council can adjust the fee schedule whenever they want and staff are commending that the fee charged to Gem Lake be reduced to a 10 inch meter.

City Attorney Beckman said if we are only interpreting the rate, we don't have to bring a revised Fee Schedule before the Council for approval. Farrell recommends charging Gem Lake at an 8 inch meter size and interpreting the City's Fee Schedule to come up with the amount to be charge to Gem Lake or if the City wanted to be generous it could charge them for a 6 inch meter.

Urban said that he thinks we want to be good neighbors, keep in mind it was the intention that Gem Lake would be paying more than a Vadnais Heights resident would. He said that the City has to do maintenance on its wells, water towers, and has payroll for staff, etc... He said he believes the City gave Gem Lake a tremendous gift which helped them to build that development. He wants to be fair but the City needs to understand the cost of operations. He asked where the water main is located. Farrell said that Vadnais Heights' water main runs east and west and Gem Lakes runs north from the center of the main and that the meter going north is Gem Lakes. Urban said that we should clarify with Gem Lake that if anything happens after the meter is tied in it is Gem Lake's responsibility.

Council Member Rogers said that Gem Lake has benefited by being able to build the development and they knew that coming into the agreement with the City that they would be paying a premium. He said that he could support the proposed rental rate for the 8 inch meter and all other Council Members agreed.

#### **4. Discussion on Resolution Supporting the MN National Guard**

City Administrator Waterson noted that the resolution supporting the MN National Guard before the Council for consider was drafted by and submitted by Council Member Urban. Council Member Urban said he put this resolution together because he has a number of MN National Guard members that work for him and that these are people that have full-time jobs and are community members.

Mayor Gunderson said she is in support of this resolution for a couple reasons and that she thinks 90% of it is excellent. She also questioned how the City determines which proclamations to present and asked if there is a way the City can beef up those that they regularly present. Gunderson said that she does not like the last Whereas and said she would like to know if Urban would consider making the resolution a proclamation and she would read it and also if he would consider amending it. Gunderson said that she thinks the Council should recognize all branches of the armed forces in this proclamation.

Council Member Goebel noted that he strongly supports the Minnesota National Guard but the last Whereas in the resolution does bother him. He said if the Council is going to do this resolution it should take out the last Whereas. He also said that he would like the proclamation to focus on Vadnais Heights.

Council Member Rogers noted that he too has an issue with the last Whereas. We are a City Council and what is stated in the last Whereas doesn't affect us. He said he thinks the proclamation should be for all armed forces.

Urban replied that he doesn't disagree with removing the last Whereas and while he wants to appreciate the military of all types, it's the National Guard that have given up their jobs and left their families. But if it's the will of the Council to pass something without the last Whereas he could support that.

Youker said she can agree with all of the resolution, even the last Whereas, because what happened when the Guard was kicked out of their staging area at a labor union building in St. Paul, it is a part of us (Vadnais Heights) because it happened in our County and it needs to be called out.

Gunderson said that she thinks there is a lot of good in the resolution, but it's a Whereas that will make people angry. She said that she doesn't think the residents voted the Council into office to make political statements and this isn't why we are here.

Urban said that he loves the last Whereas but strictly looking at it and doing the math, if the only way to move this resolution forward, he would be okay with removing the last Whereas. Mayor

Gunderson asked if Urban realizes that with two against, it would not pass. Maybe they should look at doing something broader.

Urban said that the National Guard's duties vary. Police officers are supposed to do this, but National Guard members make close to nothing and give up so much when they are activated. He said if the votes say it moves forward without the last Whereas, than that's where it is.

Gunderson again said that she can support the resolution without the last Whereas.

Gunderson asked staff to prepare a chart of resolutions/proclamations that the Council can look at when going through the budget process.

**4. Other State Issues:**

City Administrator Watson noted that the discussion about cameras in the County Park will be brought back to the next Workshop. Council Member Goebel noted that he has not received a call back from Ramsey County Commissioner Fretham.

A motion was made by Council Member Youker to adjourn the meeting 8:27 pm. Motion carried. Meeting adjourned.

Approved