

**REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF VADNAIS HEIGHTS
JULY 20, 2021**

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 7:02 p.m.

ROLL CALL

Upon roll call, the following members were present: Mayor Heidi Gunderson, and Council Members Greg Urban, Patricia Youker, Steve Rogers and Erik Goebel.

The following members were absent: None.

Also present were: Kevin Watson, City Administrator; Tim Sandvik, Assistant City Administrator; Jesse Farrell, City Engineer/Public Works Director; Chris Hearnden, Fire Chief; Caroline Beckman, City Attorney; and Peggy Aho, Deputy Clerk.

Everyone present stood and said the Pledge of Allegiance.

City Administrator Watson provided several announcements.

APPROVAL OF AGENDA

Upon motion by Youker, seconded by Goebel, it was

#21-07-102 “RESOLVED that the July 20, 2021 Regular Meeting Agenda be approved as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

APPROVAL OF MINUTES

A. June 15, 2021 Regular Workshop Meeting

Upon motion by Goebel, seconded by Urban, it was

#21-07-103 “RESOLVED that the Council approves the June 15, 2021 Regular Workshop Meeting minutes as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

B. June 15, 2021 Regular Council Meeting

Upon motion by Urban, seconded by Goebel, it was

#21-07-104 “RESOLVED, that the Council approves the June 15, 2021 Regular Council Meeting minutes as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

C. July 13, 2021 Special Workshop Meeting

Upon motion by Goebel, seconded by Youker, it was

#21-07-105 “RESOLVED, that the Council approves the July 13, 2021 Special Workshop Meeting minutes as presented.”

Ayes – 5 Nays – 0

The resolution was adopted.

APPROVAL OF CONSENT AGENDA

Upon motion by Urban, seconded by Youker, it was

#L21-07-106 “RESOLVED, that the Council approves the Consent Agenda Items #7A through #7K for the July 20, 2021 meeting be approved as follows:

- A. Consider Approving Claims #80772 through #80923 and Electronic Claims #1645 through 1649 for Payment
 - 1. U.S. Bank payment in the amount of \$4,905.96
- B. Consider Entering into an Agreement with VLAWMO for Maintenance of Branch 3
- C. Consider Accepting Resignation of Duty Crew Firefighter Alexandra Geiger
- D. Consider Accepting Resignation of Leslie Duling McCollam from the Community Engagement Committee
- E. Consider Approving the LG220 Application for Exempt Gambling Permit for Roseville Ducks Unlimited
- F. Consider Approving a Soliciting Permit Application for Moxie Services Minnesota, LLC dba Joshua’s Pest Control
- G. Consider Accepting and Acknowledging the 2021 Heritage Days Grants/Donations
- H. Consider Setting July 29, 2021 as the Date for the 2021 Annual Employee Picnic and Authorize City Offices to be Closed from 11:30 a.m. to 1:30 p.m.
- I. Consider Accepting Resignation of Firefighter Dirk Palmgren
- J. Consider Executing a Contract for Springbrook Software
- K. Consider Entering into a Common Interest Agreement”

Ayes – 5

Nays – 0

The resolution was adopted.

OPEN TO THE PUBLIC

Mayor Gunderson opened the meeting to the public at 7:08 p.m.

Richard Nicks, 3320 Centerville Road, addressed the Council regarding his property and the issue of feral cats in the City. He noted that he had spoken with the Fire Chief about having too many boats and trailers in his driveway. He asked for information from the City that says he can't have more than four trailers parked in his driveway. Fire Chief Hearnden noted that the ordinance doesn't specify the number of trailers, the property was cited because of the excessive amount of items on the driveway and it was deemed a public nuisance. Nicks noted that his garage burnt down three months after he moved in and he has since rebuilt that and is working on building a second garage. Nicks said he's not asking for an exception.

Nicks also noted that the property across the street from him has about 40 cats. He said that the animal control officer has given him live traps to trap the cats. The cats have done a lot of damage on his property.

Nicks also noted that his property has a well and no curb or gutter, and they continue to get charged for storm water discharge, and asked how the City comes up with the numbers to say how much water they are using if they are on a well. City Engineer Farrell said he will have a discussion with the owner about utility fees being charged with Nicks and Fire Chief Hearnden will have a discussion with him at the property about what can be improved. Mayor Gunderson said that the City will talk about the feral cats.

Heather Gustafson, 99 Southwood Drive, formally recommended that the City Council consider approving a human rights commission. Gustafson read a letter from Leslie Duling McCollum, advocating for a human rights commission in the City.

Jesse Lee, 4014 Elmwood Street, also spoke about living in the area, and said that he is advocating for the Council to create a human rights commission which is a means that we as a community can achieve a positive peace.

Brion Curran said that she loves Vadnais Heights and hopes the City hears the message given tonight about creating a human rights commission.

Judy Lissick, 4276 Greenhaven Court, thanked speakers who spoke. She noted that she supports a human rights commission because of her concern about what is going on at the district now as it relates to critical race theory.

Barbara Clark, 73 Martin Way, thanked all for being willing to share their fear. She said implicit bias is real and there is nothing wrong with having bias. A human rights commission will give our community a chance to pause, get all information and then make a decision and act appropriately.

Gunderson closed the meeting to the public at 7:56 p.m.

PRESENTATIONS:

A. Proclamation: August 3, 2021 as Night to Unite in the City of Vadnais Heights

Mayor Gunderson read a proclamation proclaiming that the City of Vadnais Heights participate in August 3, 2021 Night to Unite. Proclamation is shown below.

WHEREAS, the Minnesota Crime Prevention Association, along with AAA, and local law enforcement agencies are sponsoring a statewide program called Night to Unite on August 3, 2021; and

WHEREAS, Night to Unite is designed to get to know one another in the City of Vadnais Heights, build neighborhood involvement by bringing police and communities together; and to bring an awareness to crime prevention and local law enforcement efforts; and

WHEREAS, Night to Unite supports the idea that crime prevention is an inexpensive, effective tool in strengthening police and community partnerships; and

WHEREAS, Night to Unite provides opportunities to celebrate the ongoing work of law enforcement and neighborhoods in Vadnais Heights by working together to fight crime and victimization and increase public safety for all citizens; and

WHEREAS, the citizens of Vadnais Heights play an important role in assisting the Ramsey County Sheriff's Office through joint crime, drug and violence prevention efforts;

NOW, THEREFORE, I, Mayor Heidi Gunderson, and WE, Council Members, Patricia Youker, Greg Urban, Erik Goebel, and Steve Rogers, DO HEREBY CALL UPON ALL CITIZENS OF VADNAIS HEIGHTS, RAMSEY COUNTY, to participate in Night to Unite on Tuesday, August 3, 2021.

FURTHER, LET IT BE RESOLVED THAT I, Mayor Heidi Gunderson, and WE, Council Members, Patricia Youker, Greg Urban, Erik Goebel, and Steve Rogers, do hereby proclaim Tuesday, August 3, 2021, as Night to Unite in Vadnais Heights, Ramsey County, Minnesota.

PUBLIC HEARINGS: None

OLD BUSINESS

A. Notice of Public Nuisance Abatement – 1311 East County Road D Circle

Fire Chief Hearden noted that this item was on the June 15th Meeting Agenda. He said that a representative from the property asked for additional time to make some corrections. Hearden provided photos of the property before the June 15th meeting and just prior to today's meeting. He noted that the pictures show that there has been little to no changes.

Mayor Gunderson reopened the Hearing in regards to the property at 1311 East County Road D Circle at 7:40 p.m. and closed the Hearing at 7:40 p.m. She noted that legal services were completed on June 14th.

City Attorney Beckman noted that the Council should make findings that there is a public nuisance and order that the property be abated, and now the Council has to order it and then we can come back and order that it be assessed to the property. Beckman said that the Council should adopt the pictures and get more information from the Fire Chief and then at the next meeting give the property owner notice to clean it up and if he doesn't clean it up we would come back with a resolution to order the clean-up.

Hearden gave detail on the photos and noted that there are several inoperable vehicles on the property and several piles of construction debris. The back yard is full of items, barrels, garbage cans, old appliances, pallets, fencing, windows, wood piles, tarp materials, and materials under tarps. The vehicles are filled with other items and debris. He said we have been dealing with this property for several years.

Watson asked Beckman if we are looking for a motion from the Council declaring this a public nuisance and giving them two weeks to clean otherwise we will come back with resolution identifying an order to abate. Beckman replied yes. Hearden reviewed the photos 1-6.

Council Member Rogers said if the City gets involved, it has to pay for storage of the items, and how long would it have to hold the items. Beckman noted that if the City does the abatement, it can assess the cost of the abatement and storage back to the property owner on their property taxes.

Upon motion by Urban, seconded by Youker, it was

#21-07-107 “RESOLVED that the Council declares the property at 1311 East County Road D Circle a public nuisance and authorizes staff to give the property owner notice of two weeks to abate and adopt the findings of Chief Hearden.”

Ayes – 5 Nays – 0

The resolution was adopted.

Urban asked what the next steps are on another nuisance property. Hearden said that an abatement order will be before the Council at its next meeting. He said that he has until then to comply and that the property owner doesn't feel like he is doing anything wrong but he has removed some of the items.

B. Review of Kennel License at 4511 Bramblewood

Assistant City Administrator Sandvik reminded the Council of the action taken on March 16, 2021 on an application for a Kennel License at 4511 Bramblewood. He noted that the City has not received any complaints in the past six months and all animals are licensed. Sandvik said that no action is required because the kennel license is valid.

C. Consider Entering into an Agreement with Morris Leatherman Company for a Community Survey

Assistant City Administrator Sandvik noted that the Council set communications and engagement as a priority in its 2021/2022 Goals. Sandvik reviewed the history and cost based on most recent surveys. He said if the Council approved the agreement, staff will work with Morris Leatherman to start with the base survey done a few years back and develop questions. He said they hope to begin work on this later this summer/early fall and hope to have results by the end of the year.

Council Member Rogers asked if the Council gets to see the questions before it becomes a survey. Sandvik said yes, they can bring it back to a Workshop. City Administrator Watson said if Council has any specific topics or questions they want answered they should get them to staff.

Council Member Youker asked who chooses what areas of the City are going to be surveyed. Sandvik noted that it will be a random sample and in the neighborhood of 400 households surveyed, using an algorithm.

Upon motion by Youker, seconded by Goebel, it was

#21-07-108 “RESOLVED that the Council authorizes the City Administrator to execute the contract for services with The Morris Leatherman Company to conduct a community survey.”

Ayes – 5

Nays – 0

The resolution was adopted.

NEW BUSINESS

A. Planning Case 21-010: City of Vadnais Heights – City Code Amendments

Planning/Community Development Director Wall reviewed the Ordinance before the Council for consideration. He said that the Ordinance encompasses proposed amendments to portions of the City Code to accommodate the Garceau property which is within the C-1 District. Wall reviewed the proposed changes to City Code, Chapters 4 and 38 and permitted uses in the C-1 Zoning District. Wall reviewed the C-1 Zoning Districts in the City. He noted that a Public Hearing was conducted at the Planning Commission meeting in June and that the Planning Commission recommends approval of the proposed amendments.

Upon motion by Youker, seconded by Goebel, it was

#21-07-108 “RESOLVED that the Council approves Ordinance 753, An Ordinance Amending City Code Chapter 4, Article I, Section 4-1, Concerning Alcoholic Beverage, and Chapter 38, Article I, Section 38-3, Concerning Definitions, and Article III, Division 6, Concerning the Commercial One (C-1) District, and Article IV, Section 38-623, Concerning Breweries, Small Breweries, and Cocktail Rooms, as presented.”

Ayes – 5

Nays – 0

The resolution was adopted.

COUNCIL AND STAFF REPORTS

City Engineering/Public Works Director Farrell noted that the DNR has determined that the State is now in the draught warning phase. They are asking communities to do outreach. Examples of outreach would be Facebook posts/social media posts. Farrell noted that the City does have one of its water towers out of commission, so while the system is functioning well, it is strained.

Planning/Community Development Director Wall noted that the Planning Commission does meet next week and will consider three applications. One is for a variance for a billboard, another is a Comprehensive Plan amendment for Talmage Circle, and the third one is a PUD amendment for Vadnais Square.

City Attorney Beckman noted that next week they have a pre-hearing conference with the DNR.

Fire Chief Hearden noted that it is the Fire Departments 50th Anniversary this year. They are planning to do some recognition at Heritage Days. Hearden thanked all current and former members of the Department for their hard work.

Assistant City Administrator Sandvik noted that the Concert in the Parks series will continue and the Ice Cream Social will be held on Wednesday from 6 to 8 p.m. at Berwood Park. He noted that the Concert in the Park that was scheduled to be held in Bridgewood Park last week was cancelled due to rain but will be rescheduled sometime after Labor Day. Sandvik noted that registrations are still being taken for events being held during Heritage Days. He also noted that a Vadnais Heights sticker is being offered at the cost of \$10 as a fundraiser.

Council Member Goebel proposed a Dark Park on August 12 to view the meteor shower and asked if the Council would relax the Park closure rules for the viewing. All Council Members agreed. Goebel made a motion that the issue of creating a Human Rights Commission be added to a future Workshop agenda. Council Member Rogers seconded the motion. The item will be added.

Council Member Youker noted that the City's website has just introduced a translation feature. She also noted that the Vadnais Heights Commons Committee met last week and received an update on Commons activities and toured the facility.

Council Member Rogers reminded residents to make sure that their house numbers are visible. He noted that the Heritage Days Committee is looking for volunteers for the senior lunch, blood drive and parade.

City Administrator Watson noted that Night to Unite is an opportunity for the Council Members to talk about public safety issues with the residents.

Mayor Gunderson thanked the Council and staff for working on the Budget at the Special Workshop. She also reminded people to sign-up to donate at the Blood drive on August 13 because there are a lot of spots open.

Motion to adjourn by Council Member Youker at 8:21 p.m. Meeting adjourned.