



# COUNCIL PROCEEDINGS THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday April 10, 2018 at 6:30 pm in the New Brighton Council Chambers.

**Present:** Mayor Johnson, Councilmembers Allen, Burg, Dunsworth, and Jacobsen (excused at 7:35 p.m.)

**Absent:**

**Also Present:** Dean Lotter-City Manager, Sarah Sonsalla-City Attorney, Craig Schlichting-Community Assets & Development Director, Tony Paetznick-Public Safety Director, Brenda Davitt-Finance Director

**Call to Order**

Mayor Johnson called the meeting to order at 6:30 pm.

**Pledge of Allegiance**

Mayor Johnson led the Council in the Pledge of Allegiance along with Boy Scouts from Troop #419.

**Public Comment Forum**

Mayor Johnson opened the Public Forum for comments from the public.

**Approval of Agenda**

Approval of the April 10, 2018 Council Agenda.

**Motion by Councilmember Jacobsen, seconded by Councilmember Burg to approve the agenda as submitted.**

**5 Ayes, 0 Nays-Motion Carried**

**Council Minutes**

Approval of the Council Worksession minutes from March 27, 2018.

Approval of the Council minutes from March 27, 2018.

**Motion by Councilmember Burg, seconded by Councilmember Jacobsen to approve the worksession minutes from the March 27, 2018 meeting.**

**5 Ayes, 0 Nays - Motion Carried**

**Motion by Councilmember Burg, seconded by Councilmember Jacobsen to approve the minutes from the March 27, 2018 meeting.**

**5 Ayes, 0 Nays - Motion Carried**

**Call to Order**

**Pledge of Allegiance**

**Public Comment Forum**

**Approval of Agenda**

Approval of the April 10, 2018 Agenda.

**Council Minutes**

Approval of Council Minutes

**Commission Minutes**

**Mayor Johnson received the following minutes on behalf of the City:**

- PREC Minutes from March 7, 2018.
- EDC Minutes from March 7, 2018.

**Special Order of Business**

1. Arbor Day Proclamation for April 27, 2018.

Mayor Johnson read a proclamation in full for the record declaring April 27, 2018 to be Arbor Day in the City of New Brighton. She stated she was really proud of the fact New Brighton has been a Tree City for the past 36 years.

2. Northeast Youth and Family Services (NYFS) Presentation.

City Manager Lotter reported Jerry Hromatka from Northeast Youth and Family Services had a presentation for the City Council.

Jerry Hromatka, Executive Director for Northeast Youth and Family Services (NYFS), thanked the Council for their time. He explained NYFS works with children ages 5 to 21 and serves over 4,000 youth and their families each year. He noted the three main programs NYFS focused on were mental health, day treatment and community service. The value of connecting youth with seniors was further discussed. He commented on the services and benefits that were provided to New Brighton residents in 2017. Trends in the community were discussed along with the partnerships NYFS has in place. He invited the City Council to consider attending the Leadership Lunch which would be held on Wednesday, May 2<sup>nd</sup> and the Mayor’s Challenge Golf Tournament on Monday, June 11<sup>th</sup>. He described NYFS’s revenue sources and thanked the City for their continued support.

Councilmember Burg requested further information on the senior chore program. Mr. Hromatka discussed the great work being conducted through the senior chore program and encouraged members of the community seeking services to contact NYFS to learn more about the program.

Councilmember Allen thanked Mr. Hromatka for his presentation. He asked how families get to know about NYFS. Mr. Hromatka described how clients were referred to NYFS for services through the local schools and police departments.

Councilmember Jacobsen thanked Mr. Hromatka for the great work he was completing on behalf of the community. He discussed the benefits of reaching youth at an early age.

Mayor Johnson appreciated the way NYFS was working to address mental health in the community. She noted New Brighton would have a table at the NYFS Leadership Luncheon.

Councilmember Dunsworth thanked Mr. Hromatka for his presentation and for the great work being done by NYFS.

**Consent Agenda**

1. Consolidated Approval of Payments of Electronic Funds Transfer (EFT) 3952-3607, ACH Payments 3586-3606, & Vouchers 155436-155487 for a total of \$2,557,996.03.
2. Consider Approval of Final Payment to Commercial Recreation Specialists for the Replacement of the Eagles Nest Indoor Playground.
3. Resolution to Consider Cost Share Agreement with Rice Creek Watershed District for a 2018 Urban Stormwater Remediation Cost-Share Program for Lions Park Stormwater Re-use.

**Commission Minutes**

**Special Order of Business**

1. Arbor Day Proclamation for April 27, 2018.

2. Northeast Youth and Family Services (NYFS) Presentation.

**Consent Agenda**

1. EFT Pay 3952-3607, ACH Pay 3586-3606, & Vouchers 155436-155487.
2. Final Pay to Comm. Rec. Spec. Eagles Nest Indoor Playground.
3. Res. Cost Share Agr. RCWD for Lions Pk Stormwater Re-use.

- 4. Consideration of Approval of Plans and Specifications and Authorization to Advertise for Bids for City Project 18-1, 2018 Street Rehabilitation.
- 5. Consider Chair and Vice-Chair Recommendations for the Economic Development Commission.
- 6. Consider Change Order 1, City Project 15-13, Water Treatment Plant 3 Improvements.
- 7. Consider Request for Exemption from Lawful Gambling License – St. John’s the Baptist Catholic Church.

- 4. Plans and Specs and Advertise for Bids for City Project 18-1.
- 5. Chair & Vice-Chair Recomm for the EDC.
- 6. Change Order 1, City Project 15-13.
- 7. Exempt Lawful Gambli License – St. John’s the Baptist Catholic Church.

**Motion by Councilmember Allen, seconded by Councilmember Jacobsen to approve the Consent Agenda as presented.**

Mayor Johnson commented on the agreement the City was entering into with the Rice Creek Watershed District for Lions Park. She reported Lions Park would have a kiosk installed to educate the public on the rainwater cisterns that would be used to water the ball parks.

**5 Ayes, 0 Nays - Motion Carried**

**Public Hearing**

None.

**Council Business**

- 1. Adopt a Resolution Asking the Legislature to Vote Against Amendment A8 of S.F. 3021.

**Public Hearing**

**Council Business**

- 1. Adopt a Resolution Asking the Legislature to Vote Against Amendment A8 of S.F. 3021.

**Motion by Councilmember Burg, Seconded by Councilmember Allen to Adopt a Resolution Requesting the Minnesota State Legislature to Vote Against Amendment A8 S.F. 3021 Authored by Senator Mayor Kiffmeyer.**

City Manager Lotter stated government proactively wanting to engage as many voters as possible seems like it should be so obvious an assertion that further elaboration would not be required. Unfortunately, further elaboration is required because an amendment A8 of S.F. 3021. This amendment, recently offered by Senator Kiffmeyer, would make it very difficult for local governments to shift their local elections from odd to even years or vice a versa. The reasons for moving from odd to even year elections are simple and sound:

- 1. Save money – at least \$75,000 every other year would be saved by New Brighton. Imagine the savings for cities the size of St. Paul or Minneapolis.
- 2. Make local government more efficient. Currently existing staff time is involved for over six months every time there is an even year election. New Brighton and the other 26 cities that hold odd year elections have dedicate time to running elections literally every year; in the odd years running a duplicative election effort soaks up 2 full-time staff for another six months.
- 3. Engaging between 9,000 and 13,500 voters instead of 3,000 voters.

City Manager Lotter explained the legislature was taking away a local government right to make a decision on this matter. He requested the Council offer their support for the Resolution. Mayor Johnson reported the New Brighton City Council has been very transparent with its intention to move from odd to even years for election. She discussed the importance of engaging more voters in local elections,

and noted taxpayer dollars would be saved as well. She explained if this Senate File were to pass, the City would have to hold three more odd year elections prior to being able to make a change. She stated she was proud to be serving the City of New Brighton and believed the proposed Senate File was an unnecessary obstacle for City government. She noted Councilmember Burg and herself testified at the State legislature. Councilmember Burg noted the proposed Senate File was passed by one vote. She expressed frustration with the false statements that have been made regarding the New Brighton City Council’s intentions for changing from odd to even year elections. She explained this was an important issue that would save taxpayer dollars while also engaging more of the public. She encouraged residents to talk with their neighbors and offer their support for this matter.

Mayor Johnson suggested residents also send a letter to local legislatures and the governor regarding Senate File 3021. She read the Resolution asking the legislature to vote against Amendment A8 for Senate File 3021 in full for the record.

**5 Ayes, 0 Nays-Motion Carried**

Councilmember Jacobsen excused himself from the City Council meeting at 7:35 p.m.

- 2. Adopt a Resolution that Supports a Constitutional Amendment to Regulate Corporate Political Spending and Campaign Finance.

2. Adopt a Resolution that Supports a Constitutional Amendment to Regulate Corporate Political Spending and Campaign Finance.

**Motion by Councilmember Dunsworth, seconded by Councilmember Burg to Adopt a Resolution Supporting a Constitutional Amendment to Regulate Corporate Political Spending and Campaign Financing.**

City Manager Lotter indicated at a recent Council meeting, New Brighton resident Ron Bardal approached the New Brighton City Council under “Public Comment” portion of the agenda. Mr. Bardal expressed concern regarding the amount of corporate spending in U.S. elections and campaigns. Mr. Bardal asked that for a meeting with Mayor Johnson and City Manager Lotter to discuss his concerns in more detail. On April 29, 2018 Mayor Johnson and City Manager Lotter meet with Mr. Bardal and two of his associates. After a short discussion, the Mayor agreed to bring a resolution of support for a 28<sup>th</sup> amendment to the Constitution for the Council’s consideration. He commented on a meeting he had with individuals from Minnesota for Clean Elections.

Ron Bardal, 1783 19<sup>th</sup> Terrace, provided the Council with a presentation on the proposed 28<sup>th</sup> Amendment to the Constitution. He explained too much money was being spent in politics. He discussed how campaign finances have changed over the past 40 years. He was of the opinion that money offered organizations free speech and noted election spending has grown almost 10-fold since 1976. He commented on how Supreme Court decisions were eroding the reforms that were put in place in 1976. He discussed how outside funding was being used in local elections and how billionaire donors were using their money to reward and to threaten. He questioned why 60% of our Senators time was being spent fundraising when it should be spent on representing the people. He commented at this time there was unequal representation between large and small donors. He expressed concern with the fact that big money and dark money was clouding elections. He discussed how the trust in government was lacking. He described how the City could win the 28<sup>th</sup> Amendment by working together, committing to action, by making this a campaign issue, by election candidates who support the 28<sup>th</sup> Amendment and by calling State and Federal legislators to help. He anticipated it would take 10 to 20 years to pass the 28<sup>th</sup> Amendment. He reviewed a map noting the cities and counties that were already pursuing change. He requested the City Council offer their support to his Constitutional Amendment that would regulate corporate political spending and campaign finances in order to assist the United States in pursuing a citizen’s democracy.

Councilmember Allen questioned what the Council was being asked to sign on to. Jim

Harrick, Lauderdale resident, and member of Minnesota for Clean Elections, explained the Council was being asked to counter the Supreme Court decision in order for legal limits to be set at the Federal, State and local level for all elections. He did not believe it was right for corporations to have the same right as citizens, when it came to corporate contributions to campaigns. He stated he also wanted the Council to recognize the fact that money was not free speech, but rather money was money and free speech was free speech. Lastly, he wanted to see the Council support campaign contributions having full disclosure.

Councilmember Dunsworth thanked Mr. Bardal for his presentation. She asked what other cities in Minnesota have adopted a similar Resolution. Mr. Harrick reported Duluth, St. Paul, Minneapolis, Lauderdale and eight to ten other cities were in the process.

Councilmember Burg stated she was proud to offer her support to this Resolution.

**5 Ayes, 0 Nays-Motion Carried**

- 3. Consideration of Benefit Level Increase for New Brighton Fire Relief Association.

**Motion by Councilmember Dunsworth, seconded by Councilmember Burg to Approve a Resolution to Authorize an Amendment to the New Brighton Firefighters’ Relief Association Bylaws to Increase the Pension Benefit Level for Firefighters to \$7,700 per year of service effective April 11, 2018.**

City Manager Lotter indicated himself, Public Safety Director Paetznick, and Firefighter Brian Schmidt would be presenting this item to the Council. He discussed the high level of training members of the fire division must attend on a yearly basis. He described the cost-effective staffing model that was utilized by the New Brighton Fire Division for paid on-call volunteer firefighters. He noted the average New Brighton firefighter makes \$5,000 per year but are trained to the same level as full-time firefighters. He requested Public Safety Director Paetznick discuss how the Fire Relief Association benefited these volunteers. Public Safety Director Paetznick explained beginning in 2014, the Relief Association first offered to Council a long-term financial forecast that budgeted annual increases in the benefit level commencing in 2016. Consistent with that discussion, the Relief Association will again provide updated projections to Council, with the intention to continue this approach of annual planning for benefit level increases to assure ongoing recruitment and retention of firefighting personnel for the City of New Brighton.

City Manager Lotter reviewed the New Brighton Fire Divisions 2018 operational budget in comparison to neighboring communities. He explained New Brighton has seen much success in their organization along with great cost savings.

Public Safety Director Paetznick commented briefly on the firefighter training and education that was completed by firefighters on an annual basis. He described the makeup of the Fire Relief Board along with the health of their fund.

City Manager Lotter discussed the pension that was provided to members that put in 20 years of service. He reported partial vesting was offered to members that invest 10 years in the Fire Division. He noted the plans provides for disability and survivor benefits. He discussed the projected future liabilities of the Fire Relief Fund, the impact of a proposed increase, and requested the Council consider raising the benefit level for firefighters to \$7,700 per year of service effective April 11<sup>th</sup>.

Councilmember Dunsworth thanked staff for the detailed presentation. She believed the information presented was valuable to the public and commented on what a huge asset the fire division was to the community. She was of the opinion the proposed benefit increase was an important tool in assisting the City in retaining its firefighters.

Councilmember Allen agreed stating the New Brighton Public Safety Department was an incredible asset for the community. He explained he supported the proposed increase.

Councilmember Burg thanked staff for the valuable presentation. She commented on the great

3. Consideration of Benefit Level Increase for New Brighton Fire Relief Association.

response rates New Brighton has from its paid on-call volunteers and noted the relief fund was not taxpayer dollars, but rather funds from the Fire Relief Association. She noted she would be offering her support to the proposed benefit increase.

Mayor Johnson stated she was pleased to see the Fire Relief Fund was so well managed that an increase could be approved by the City Council. She indicated she was proud of the staffing model and staffing level the City's Fire Division had.

**5 Ayes, 0 Nays-Motion Carried**

- 4. Consider Bids and Award City Project 17-7, Water Meter Replacement.

**Motion by Councilmember Allen, seconded by Councilmember Burg to accept all bids and adopt a Resolution awarding a contract for City Project 17-7, Water Meter Replacement to Core & Main for the purchase of new Sensus brand water meters.**

City Manager Lotter indicated Community Assets and Development Director Schlichting would be presenting this item to the Council.

Community Assets and Development Director Schlichting reported this project consists of replacing all Industrial, Commercial, Institutional, and Multi-Family structures as well as third (1/3) of the single-family home water meters during the 2018 calendar year. Another third (1/3) of the residential in 2019 and the final third (1/3) in 2020. Meter reading software will also be integrated into the system and a collector antenna will be installed at the High Service water tower in 2018. Staff reviewed the bids received along with the cost for the project and noted this would be a three-year project.

Councilmember Allen questioned how staff would select which area of the City would be completed first. Community Assets and Development Director Schlichting reported all commercial meters would be replaced first and noted residential areas would follow.

**5 Ayes, 0 Nays-Motion Carried**

- 5. Consider Bids and Award City Project 17-7B, Water Meter Installation.

**Motion by Councilmember Burg, seconded by Councilmember Dunsworth to accept the bid in the amount of \$395,000.00 and adopt the attached Resolution awarding a contract for City Project 17-7B, Water Meter Installation to Hydrocorp, Inc.**

City Manager Lotter indicated Community Assets and Development Director Schlichting would be presenting this item to the Council.

Community Assets and Development Director Schlichting reported City Project 17-7B, Water Meter Installation, will be completed in conjunction with City Project 17-7, Water Meter Replacement. The work will include, but is not limited to, installation of procured water meters, water customer postal notification, implementation of a dedicated website for appointments and scheduling, staffed full-time Toll-Free phone support for residents, and all meter documentation and records required by the specifications. In compliance with Minnesota Department of Health recommendations to all Public Water Systems, cross-connection/backflow hazard surveys will also be conducted at all non-residential facilities at the time of water meter installations. This cost-effective approach of combining the meter replacement and cross-connection visual survey during one site visit reduces overall costs. Each cross connection/backflow survey will include a comprehensive summary of all findings and will be digitally documented. Hydrocorp, Inc. has not done work for the City in the recent past, but has done similar work in other cities and is qualified and capable of performing work of this kind and magnitude. If awarded, the contract will be executed over a period of 3 years

4. Consider Bids and Award City Project 17-7, Water Meter Replacement.

5. Consider Bids and Award City Project 17-7B, Water Meter Installation.

with targeted yearly goals listed in the project specifications. The contract requires all work to be completed on or before December 31, 2020.

**5 Ayes, 0 Nays-Motion Carried**

**Commission Liaison Reports, Announcements and Updates**

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**Dean Lotter**

City Manager Lotter reported another edition of the City newsletter would be sent out shortly. He explained the City has received a great deal of positive feedback on the newsletters new format. He indicated staff has seen a great deal of interest in the IT department openings.

**Mary Burg**

Councilmember Burg reported the Planning Commission would be meeting next on Tuesday, April 17<sup>th</sup>. She explained the Ralph Reeder Food Shelf received a Hungry Hero Award. She indicated over 800 households were served by this food shelf every month.

**Emily Dunsworth**

Councilmember Dunsworth reported she attended the Public Safety Commission meeting on Monday, April 9<sup>th</sup>. She explained this group discussed Allina response times and calls for services. She noted the local drug take back day would be Saturday, April 28<sup>th</sup> at the New Brighton Public Safety Building.

**Graeme Allen**

Councilmember Allen reported the EDC met on Monday, April 4<sup>th</sup>. He noted this group discussed the Korean Church property and the Comprehensive Plan. He indicated this group would meet next on Wednesday, May 2<sup>nd</sup>. He stated he has been investigating other cities in the metro area with respect to their housing programs and stated he would be reporting back to the Council regarding this matter in the future.

**Mayor Johnson**

Mayor Johnson commented on the Council’s desire to move to even year elections was to engage more voters and to reduce the overall expense for elections. She encouraged residents to contact their local legislators and the governor regarding this matter in order for local governments to maintain control over this issue.

**Adjournment**

Mayor Johnson adjourned the meeting at 9:12 p.m.

**Adjournment**  
The meeting adjourned at 9:12 p.m.

\_\_\_\_\_  
Valerie Johnson, Mayor

ATTEST: \_\_\_\_\_  
Sandra Daniloff, Deputy City Clerk