1. MEETING IS CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL: Bergeron, Gunn, Hull, Meehlhause, Mueller

   NOT PRESENT: None.

4. APPROVAL OF AGENDA
   A. Monday, August 26, 2019, City Council Agenda.

   MOTION/SECOND: Gunn/Bergeron. To Approve the Monday, August 26, 2019, agenda as presented.

      Ayes – 5  Nays – 0  Motion carried.

5. CONSENT AGENDA
   A. Approval of Minutes: August 12, 2019.
   B. Just and Correct Claims.
   C. Resolution 9156, Appointing Alexis Bostrom to Police Administrative Assistant.

   MOTION/SECOND: Meehlhause/Bergeron. To Approve the Consent Agenda as presented.

      Ayes – 5  Nays – 0  Motion carried.

6. PUBLIC COMMENT

   None.

7. SPECIAL ORDER OF BUSINESS

   None.
8. COUNCIL BUSINESS
   A. Public Hearing and First Reading of Ordinance 961 Tobacco Sales Prohibited under Age 21.

City Administrator Zikmund requested the Council introduce an Ordinance that would prohibit the sale of tobacco to those under the age of 21. He explained the Council first visited this item last fall in a worksession meeting. He reported on June 3rd worksession meeting the Council further discussed options for this Ordinance. He indicated the proposed Ordinance had been reviewed by City Attorney Riggs. Staff provided further comment on the proposed Ordinance and recommended introduction.

Mayor Mueller reported she had heard from the owners of Merwyn’s Liquors and the management team at Speedway.

Council Member Meehlhause asked if the Ordinance also covered vaping products. City Attorney Riggs reported this was not the case but noted staff could revise the Ordinance to make a change if this was the Council’s wish.

Council Member Bergeron supported the Ordinance being amended to prohibit the sale of all vaping products to those under the age of 21.

AMENDMENT MOTION/SECOND: Bergeron/Hull. To Amend Ordinance 961, that all Vaping product sales be prohibited to those under the age of 21.

    Ayes – 5    Nays – 0    Motion carried.

Mayor Mueller opened the public hearing at 6:38 p.m.

Grace Powman, 1096 Carmel Court, stated she was an 11th grader in the Mounds View School District. She described how she has seen an increase in vaping at school. She supported the Council increasing the tobacco age to 21 in Mounds View as this would assist in keeping tobacco and vaping products out of the hands of middle and high schoolers. She believed the tobacco industry was doing a great job by offering fruity flavors for their vaping products and by making the vaping device look like a thumb drive. She thanked the Council for taking action on this item as it would assist with keeping vaping products out of the hands of her friends and classmates.

Pah Shasky, 2256 Lois Drive, reported she was a health educator for St. Paul/Ramsey County Public Health. She stated she was before the Council as a mother of young children and as a resident of Mounds View. She explained she moved to Mounds View because of the excellent school district and access to public spaces. She indicated she made a good choice and she was glad she lived in Mounds View. She discussed how vaping use was on the rise and encouraged the Council to support the Tobacco 21 Ordinance.

Bridget Jaquith, Apple Tree Dental representative, stated she was a dental hygienist and discussed how her clinic worked to provide tobacco cessation services. She stated because of the
rise of oral and esophageal cancer, these services were becoming more popular for youth as young as 13. She commented vaping was also causing lung damage and for this reason she recommended the Council support raising the tobacco age in Mounds View to 21.

Tah Menkamu, 2401 LaPort Drive, reported he has raised three children in Mounds View. He stated he strongly supported this Ordinance. He explained he has struggled with peer pressure surrounding tobacco use, as have his children. He discussed research he had conducted regarding tobacco use and COPD. He indicated tobacco impacts human health and in Minnesota 6,300 people were killed each year from tobacco. He reported 95% of smokers begin before the age of 21 and noted 350 children under the age of 18 become regular smokers each day. He described how nicotine impacts the brain of young children with developing brains. He encouraged the Council to consider this a major public health issue and to pass the Tobacco 21 Ordinance.

Dr. Steven Greer, Tria Orthopedics, introduced himself to the Council and noted he was the team physician for the Mounds View and Irondale athletes. He reported tobacco was the number one cause of preventable death and disease in Minnesota and kills over 6,000 people each year. He explained it was difficult for those addicted to nicotine to quit, which was why it was so important to keep youth from starting. He stated he was deeply concerned about the large number of youth vaping and discussed the chemicals found in vaping products. He explained the CDC was currently investigating over 90 cases of severe lung disease, of which four cases occurred in Minnesota. He reported vaping was not safe and the nicotine in vaping was as addictive as cocaine or heroin. He discussed how vulnerable youth were to nicotine addiction. He reported youth are not aware of the harmful chemicals in e-cigarettes and do not realize vapes contain nicotine. He recommended the Council to support the Tobacco 21 Ordinance as this will assist in protecting today’s youth.

Emma Larson, 5420 Landmark Circle, explained she works at Apple Tree Dental in Mounds View. She stated she supported the City raising the tobacco age to 21. She commented on how tobacco impacts oral health and discussed how important tobacco prevention was. She noted both of her parents were smokers in their younger years. She reported vaping products were highly addictive and came in fun flavors. She stated she supported the tobacco 21 initiative in the City of Mounds View.

Dave Piskorski, 7878 Woodlawn Drive, asked if the proposed Ordinance would mean people under the age of 21 could not purchase or possess nicotine products.

Mayor Mueller reported this would be the case for residents of Mounds View. She explained by moving to the Tobacco 21 Ordinance the City can ensure the school properties and school grounds are tobacco free.

Council Member Bergeron clarified this Ordinance addressed the sale of tobacco and does not address possession. City Attorney Riggs reported this was the case.

Hearing no further public input, Mayor Mueller closed the public hearing at 6:56 p.m.
Council Member Bergeron stated he supported the Tobacco 21 Ordinance and he thanked the public for coming forward to speak in favor of the Ordinance this evening.

MOTION/SECOND: Bergeron/Meehlhause. To Waive the First Reading and Introduce Ordinance 961, Tobacco Sales Prohibited under Age 21 as amended.

Ayes – 5 Nays – 0 Motion carried.

Mayor Mueller paused the meeting to allow the Council Chambers to clear.

B. Public Hearing: Ordinance 962 – Second Reading and Adoption of an Ordinance Granting to CenterPoint Energy Resources, a Natural Gas Utility, a Delaware Corporation, Its Successors and Assigns, a Nonexclusive Franchise to Construct, Operate, Repair and Maintain Facilities and Equipment for the Transportation, Distribution, Manufacture, and Sale of Gas Energy for Public and Private Use and to Use the Public Ways and Public Ground of the City of Mounds View, Minnesota, for Such Purposes; and Prescribing Certain Terms and Conditions Thereof.

Finance Director Beer requested the Council approve an Ordinance renewing a franchise agreement with CenterPoint Energy Resources to provide natural gas sales and distribution in the City of Mounds View. He explained this agreement would impose a 4% franchise fee for use of the City’s right-of-way.

MOTION/SECOND: Hull/Gunn. To Waive the Second Reading and Adopt Ordinance 962, Granting to CenterPoint Energy Resources, a Natural Gas Utility, a Delaware Corporation, Its Successors and Assigns, a Nonexclusive Franchise to Construct, Operate, Repair and Maintain Facilities and Equipment for the Transportation, Distribution, Manufacture, and Sale of Gas Energy for Public and Private Use and to Use the Public Ways and Public Ground of the City of Mounds View, Minnesota, for Such Purposes; and Prescribing Certain Terms and Conditions Thereof and direct staff to publish an Ordinance summary.

ROLL CALL: Bergeron/Gunn/Hull/Meehlhause/Mueller.

Ayes – 5 Nays – 0 Motion carried.

C. First Reading and Introduction of Ordinance 963, an Ordinance Continuing a Franchise Fee on Center Point Energy Natural Gas Operations within the City of Mounds View.

Finance Director Beer requested the Council introduce an Ordinance continuing a franchise fee with CenterPoint Energy to provide natural gas services in the City of Mounds View. He explained the last time the Council approved a sunset clause was in 2018 with the knowledge this would have to be revisited in 2019. Staff recommended approval of the new sunset date within the Ordinance.
MOTION/SECOND: Bergeron/Meehlhause. To Waive the First Reading and Introduce Ordinance 963, an Ordinance Continuing a Franchise Fee on Center Point Energy Natural Gas Operations within the City of Mounds View.

Ayes – 5  Nays – 0  Motion carried.

D. Resolution 9155, Approval of Service Contracts with Trane Building Services and Architect Mechanical Inc. for Heating Ventilation and Air Conditioning at City Buildings (HVAC).

Public Works Director Peterson requested the Council approve a service contract with Trane Building Services and Architect Mechanical for heating, ventilation and air conditioning work to be completed at City buildings. He reported the City owns and operates 13 separate buildings with HVAC equipment. He reported the Public Works Department has been reviewing its HVAC equipment and requested two proposals for HVAC services. He reviewed the bids with the Council and recommended approval of a contract with Trane and Architect Mechanical.

Council Member Meehlhause questioned when the contracts would go into effect. Public Works Director Peterson reported the contract would go into effect after the contract was signed but payments would not be made until 2020.

MOTION/SECOND: Meehlhause/Bergeron. To Waive the Reading and Adopt Resolution 9155, Approval of Service Contracts with Trane Building Services and Architect Mechanical Inc. for Heating Ventilation and Air Conditioning at City Buildings (HVAC).

Ayes – 5  Nays – 0  Motion carried.

E. Ordinance 965, Second Reading and Adoption of Ordinance Amending Chapter 514 relating to Lawful Gambling.

City Administrator Zikmund requested the Council adopt an Ordinance amending Chapter 514 regarding lawful gambling. He reported the Council directed staff to amend City Code to allow the City to capture 10% of net revenues for lawful gambling proceeds in the City. He commented further on the proposed Ordinance amendment and recommended approval.

MOTION/SECOND: Gunn/Hull. To Waive the Second Reading and Adopt 965, Second Reading and Adoption of Ordinance Amending Chapter 514 relating to Lawful Gambling directing staff to publish an Ordinance summary.

ROLL CALL: Bergeron/Gunn/Hull/Meehlhause/Mueller.

Ayes – 5  Nays – 0  Motion carried.

F. Resolution 9159, Amending the 2019 Fee Ordinance regarding Rental
Dwelling License Fees.

Community Development Director Sevald requested the Council amend the 2019 Fee Ordinance regarding rental dwelling license fees. He stated the City licenses 1,700 rental units per year and the fee is roughly $60 + $8 per unit. He explained the cost to staff per unit was higher and for this reason, staff recommended the fee be increased to $100 + $25 per unit. He indicated a discount program was available to assist with lowering fees if crime free housing meetings were held by owners and managers.

Council Member Meehlhause asked what percentage of owners participate in crime free housing programs. Community Development Director Sevald explained 16 owners participate in the 20% discount, three in the 33% discount range and none participate in the 50% discount.

Council Member Hull questioned if the discount would impact both fees. Community Development Director Sevald reported this was the case.

MOTION/SECOND: Meehlhause/Gunn. To Waive the Reading and Adopt Resolution 9159, Amending the 2019 Fee Ordinance regarding Rental Dwelling License Fees.

Council Member Bergeron stated he understood the fee increase would assist in offsetting staff costs. However, he also saw a tremendous opportunity for the City to better communicate with owners through the discount and crime free housing program. He indicated he wanted to see the City generate a better feeling between renters and owners, and he believed this fee was a positive step in the right direction.

Ayes – 5                 Nays – 0                 Motion carried.

G. Resolution 9157, Approve a Service Contract with Pioneer Critical Power Inc. for Stand-by Emergency Generators.

Public Works Director Peterson requested the Council approve a service contract with Pioneer Critical Power Inc. for stand-by emergency generators. He explained this contract would allow Pioneer to test the City’s emergency generators on a yearly basis. Staff provided further comment on the proposed contract and recommended approval. It was noted this contract would begin in January of 2020.

MOTION/SECOND: Meehlhause/Bergeron. To Waive the Reading and Adopt Resolution 9157, Approve a Service Contract with Pioneer Critical Power Inc. for Stand-by Emergency Generators.

Council Member Bergeron thanked staff for looking into this and stated this contract would save the money in the long run.

Ayes – 5                 Nays – 0                 Motion carried.
9. REPORTS
   A. Reports of Mayor and Council.

Council Member Meehlhause reported NYFS would be holding their annual staff/board picnic on Wednesday, August 28th. He stated the Taste of Northeast event would be held on Thursday, October 10th at 5:30 p.m. at the Vadnais Heights Commons.

Council Member Bergeron explained he would be attending a Cable Commission meeting next week.

Mayor Mueller encouraged residents to read the most recent edition of the *Mounds View Matters*.

Mayor Mueller reported she received a letter of thanks from a resident thanking the City for fixing his water break on a Sunday evening.

Mayor Mueller noted she also received a letter from the League of Minnesota Cities and noted Representative Kelly Moller was selected as the League of Minnesota Cities Legislator of Distinction for 2019. She sent her congratulations to Representative Kelly Moller.

Mayor Mueller indicated school would begin shortly and encouraged drivers to watch for school buses and walking children.

   B. Reports of Staff.

City Administrator Zikmund stated the Skyline Motel would be burned tomorrow morning at 10:00 a.m.

City Administrator Zikmund reviewed the proposed agenda for the Tuesday, September 3rd work session meeting.

   C. Reports of City Attorney.

City Attorney Riggs had nothing additional to report.

10. Next Council Work Session: Tuesday, September 3, 2019, at 6:30 p.m.
    Next Council Meeting: Monday, September 9, 2019, at 6:30 p.m.

11. ADJOURNMENT

The meeting was adjourned at 7:34 p.m.

Transcribed by:

Heidi Guenther
*TimeSaver Off Site Secretarial, Inc.*