



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting

April 25, 2023

CALL TO ORDER

The meeting was called to order by Mayor Supple at 7:01 p.m. in the Council Chambers.

Council Members Present: Mary Supple, Mayor; Sharon Christensen; Simon Trautmann; Sean Hayford Oleary; and Ben Whalen

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; and Dustin Leslie, City Clerk

PLEDGE OF ALLEGIANCE

Mayor Supple led the Pledge of Allegiance.

OPEN FORUM

Mayor Supple reviewed the options to participate:

- Participate live by calling 1-415-655-0001 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting kwynn@richfieldmn.gov

Kathleen Balaban, 6526 Stevens Avenue South, requested Council remove staff report 48 pertaining to the \$10 million bond and appointing the HRA to conduct the public hearing. She stated the Council should be responsible for all public hearings and not the commissions.

Larry Ernster, 6727 Elliott Avenue South, asked the city to respond to various questions regarding item 4B on the Consent Agenda.

APPROVAL OF MINUTES

M/,Hayford Oleary S/Trautmann to approve the minutes of the: (1) City Council Work Session of April 11, 2023; (2); City Council Meeting of April 11, 2023.

Motion carried: 5-0

ITEM #1	PROCLAMATION TO RECOGNIZE ARBOR DAY 2023
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Mayor Supple read aloud the proclamation.

ITEM #2	ASIAN AND PACIFIC AMERICAN HERITAGE MONTH PROCLAMATION
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Mayor Supple read aloud the proclamation.

ITEM #3	APPROVAL OF THE AGENDA
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M/Whalen, S/Hayford Oleary to approve agenda.

Council Member Trautmann asked staff if there are HRA funds actually going towards the project on the consent agenda. Mayor Supple suggested this item be pulled for discussion.

Motion carried: 5-0

ITEM #4	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar.

- A. A request for one year time extension of land use approvals for a 4 story, 55-unit multi-family development at 7700 Pillsbury Avenue South (Staff Report No. 47)

RESOLUTION NO. 12084

RESOLUTION GRANTING A TIME EXTENSION FOR A FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AT 7700 PILLSBURY AVENUE SOUTH

- ~~B. Consider a resolution approving the issuance of \$10 million in revenue bonds by the Housing and Redevelopment Authority for the benefit of the Upper Post Flats housing development; and delegating authority to conduct a public hearing to this matter to the Housing and Redevelopment Authority (Staff Report No. 48)~~

RESOLUTION NO. ____

~~RESOLUTION APPROVING THE ISSUANCE, SALE, AND DELIVERY BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF RICHFIELD, MINNESOTA OF ITS REVENUE OBLIGATIONS; DELEGATING AUTHORITY TO THE AUTHORITY TO CONDUT A PUBLIC HEARING; AND TAKING OTHER ACTIONS WITH RESPECT THERETO~~

- C. Consider the approval of the Bureau of Criminal Apprehension’s (BCA’s) Master Joint Powers Agreement (JPS) with Richfield Department of Public Safety/Police for access to the

Criminal Justice Data Communications Network (CJDN) and the Court Data Services Subscriber Amendment to CJDN Subscriber Agreement (Staff Report No. 49)

RESOLUTION NO. 12086

RESOLUTION AUTHORIZING APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF RICHFIELD ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

- D. Consider the approval of an agreement allowing Richfield Department of Public Safety to accept grant monies from the U.S. Department of Justice, Office of Justice Programs, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. (Staff Report No. 50)

RESOLUTION NO. 12087

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY/POLICE TO ACCEPT THE EDWARDS BYRNE MEMORIAL GRANT (JAG) FOR \$10,248.60 FROM THE OFFICE OF JUSTICE PROGRAMS TO INSTALL WORKSTATIONS IN THE FORMER DISPATCH AREA

- E. Consider approval for the City of Richfield to enter into an agreement with Independent School District No. 280 to administer their 2023 School Board Election (Staff Report No. 51)
- F. Consider the approval of the bid tabulation and award a contract to Visu-Sewer, Inc., for the 2023 Sanitary Sewer Rehabilitation Program in the amount of \$670,830.80 and authorize the City Manager to approve contract changes up to \$175,000 without further City Council consideration (Staff Report No. 52)
- G. Consider the approval of a contract agreement between the City of Richfield and Spohn Ranch, Inc., in the amount of \$180,000, to design and construct an expansion of the current skate park at Augsburg Park in 2023 and authorize staff to execute the agreement and oversee the project (Staff Report No. 53)

M/Supple, S/Trautmann to removed Item 4B from the consent calendar.

Motion carried: 5-0

M/Trautmann, S/Whalen to approve the revised consent calendar.

Council Member Whalen stated for Item G, he thanked staff for their role in obtaining the grant funding and the students for their recommendations on the design of the skate park.

Motion carried: 5-0

ITEM #5	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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4B. Consider a resolution approving the issuance of \$10 million in revenue bonds by the Housing and Redevelopment Authority for the benefit of the Upper Post Flats housing development; and delegating authority to conduct a public hearing to this matter to the Housing and Redevelopment Authority (Staff Report No. 48)

City Manager Rodriguez presented Staff Report 48.

M/Whalen, S/Hayford Oleary to approve Resolution No. Resolution approving the issuance, sale, and delivery by the Housing and Redevelopment Authority in and for the City of Richfield, Minnesota of its Revenue Obligations; Delegating Authority to the Authority to conduct a public hearing; and taking other actions with respect thereto.

Council Member Hayford Oleary asked if the Council's action tonight would approve the issuance of these bonds or if it allows the HRA to do the final approval. He asked if it was approved tonight, why would the public hearing be held afterwards. Kennedy and Graven Attorney Julie Eddington noted the IRS rules allowed cities to issue bonds and that authority can be delegated to a commission. She indicated the bonds were not an obligation of the city or the HRA but are the obligation of the developer. She noted the reason the HRA wanted to get involved in this was they wanted to provide more affordability to the area in general and have more students attend Richfield Public Schools.

Council Member Hayford Oleary asked if this action tonight authorized the bonds or would the HRA make that decision. Eddington stated the Resolution delegated the authority to the HRA to hold the public hearing at the HRA level and gives the approval for the HRA to issue the bonds when they have their meeting.

Council Member Trautmann asked why this process was being done this way instead of the HRA holding the public hearing first and then their recommendation comes to the Council. Eddington responded the IRS rules allow the HRA to hold the hearing and issue the bonds. She noted the HRA was the ones issuing the bonds and could say yes or no to them. However, if the Council was uncomfortable with that process, something different could be done.

City Manager Rodriguez stated in a Planning Commission scenario, they are an advisory body to the Council where the HRA was not.

Council Member Trautmann asked what the HRA was doing by issuing the bonds. Eddington stated the HRA had already gone to the State to ask for housing allocation and affordable bonds that cannot be done as a developer without the allocation. She indicated this bond would allow the developer to finish the project and it also allowed them to get tax credits. She stated while the HRA was issuing the bonds, the HRA had no responsibility to pay them back and it does not impact Richfield's credit rating or require long-term work on the part of the HRA. She indicated if there was a default, it would be the borrower's default and not the City's default.

Council Member Whalen asked if children who lived in the Fort Snelling area could go to the Richfield schools. Eddington responded that they could. She explained this was also within Hennepin County and the County has given the HRA authority to do the bonds in Richfield and their approval has provided the HRA the ability to issue the bonds for the Fort Snelling area.

Mayor Supple stated the Fort Snelling area was not an incorporated area so they are not part of any city, but they are a part of the State of Minnesota and the County of Hennepin. She noted there was no city responsible for that area. Eddington responded that was correct and the property was controlled by the Department of Natural Resources (DNR).

Mayor Supple asked if the DNR could host bonds. Eddington responded that after researching the option, it would be very difficult to get it done that way.

Council Member Whalen believed the benefit of the affordability was great and he generally was in support of this. He asked where the children would go if they picked a different school instead of a Richfield school. Mayor Supple indicated the children at Fort Snelling were a part of the Richfield School District.

Council Member Whalen stated having spoken with the School Board in the past, that the Board is generally in favor of any developments that bring in more students as the funding they received was based on a per student ratio. He noted having 200 students would be roughly \$8,000 per student funding.

Mayor Supple asked if the developer would answer questions about the number of bedrooms of these units. Dominion representative Khayree Duckett responded there was a mix of up to five-bedroom units. He believed the entire development would have 192 apartment units.

Council Member Whalen asked for the breakdown between studio apartments and bedroom apartments. He inquired about Dominion’s reputation with respect to tenants and maintenance. Mr. Duckett stated he could get the Council an exact unit count, but he has been assured by the development team that 75 percent and more of the apartment homes at the development are two plus bedrooms. He summarized the track record of the developer with respect to the tenants and maintenance.

Mayor Supple asked if the \$10 million would be used to finish the development. Mr. Duckett responded the Fort Snelling area is a historic area and this was a gradual process going building by building so some of the units have already been occupied.

Mayor Supple believed most of the questions from Open Forum had been answered. She believed the benefit this provided was more affordable housing for families who needed more bedrooms and larger spaces and this was something the city was missing.

Council Member Hayford Oleary noted tonight they are just referring this to the HRA and he encouraged anyone who had questions to attend the HRA Public Hearing.

Council Member Whalen stated he was comfortable with the HRA making a decision, but asked if the HRA has already discussed this and if so, could a summary be given. Mayor Supple responded that the HRA had a discussion at their December 12, 2022 meeting. She briefly summarized what was discussed at that meeting.

RESOLUTION NO. 12085

RESOLUTION APPROVING THE ISSUANCE, SALE, AND DELIVERY BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF RICHFIELD, MINNESOTA OF ITS REVENUE OBLIGATIONS; DELEGATING AUTHORITY TO THE AUTHORITY TO CONDUCT A PUBLIC HEARING; AND TAKING OTHER ACTIONS WITH RESPECT THERETO

Motion carried: 5-0

ITEM #6	CONSIDER APPROVAL OF A RESOLUTION AMENDING 2023 LICENSE, PERMIT, AND MISCELLANEOUS FEES PURSUANT TO THE PROVISIONS OF APPENDIX D OF THE ORDINANCE CODE OF THE CITY OF RICHFIELD (STAFF REPORT NO. 54)
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Council Member Hayford Oleary presented Staff Report No. 54.

M/Hayford Oleary, S/Whalen to approve the Resolution amending 2023 license, permit, and miscellaneous fees pursuant to the provisions of Appendix D of the Ordinance Code of the city of Richfield.

RESOLUTION NO. 12088

RESOLUTION AMENDING 2023 LICENSE, PERMIT AND MISCELLANEOUS FEES PURSUANT TO THE PROVISIONS OF APPENDIX D OF THE ORDINANCE CODE OF THE CITY OF RICHFIELD

Motion carried: 5-0

ITEM #7	CITY MANAGER’S REPORT
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No report.

ITEM #8	CLAIMS AND PAYROLL
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M/Whalen, S/Trautmann that the following claims and payrolls be approved:

<u>U.S. BANK</u>	<u>04/25/2023</u>
A/P Checks: 313703 - 313985	\$1,431,283.14
Payroll: 177839 – 178130, 43637	\$795,965.96
TOTAL	\$2,227,249.10

Motion carried: 5-0

ITEM #9	HATS OFF TO HOMETOWN HITS
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Council Member Whalen encouraged everyone to pick up any garbage they see on the streets or in the parks. He indicated the Adopt-a-Park Program is also a great way to keep the parks clean.

Council Member Christensen gave a shout out to the Fourth Annual City of Richfield Citywide Food Drive with the help of many individuals. She stated they had collected several truckloads that were given to VEEP and Richfield High School.

Council Member Hayford Oleary recognized the Eco Fair and thanked everyone who assisted with the event. He recognized the cannabis bill that passed the House and would be moving on to the Senate.

Council Member Trautmann stated this was the last week to submit a name for the Gene and Mary Jacobson Outstanding Citizen Award. He gave a shout out to the new restaurants who have or are opening up this Spring in Richfield.

Mayor Supple introduced Barney and indicated April 30 was National Animal Therapy Day and she gave a hats off to Dan Smieja and his partner Barney, the Basset Hound, as well as all of the other NorthStar Therapy Animal teams in the City. She stated there are still some Commission openings. She also put out kudos to the communications staff for putting out the annual report.

ITEM #10	ADJOURNMENT
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M/Trautmann, S/Whalen to adjourn the meeting at 8:02 p.m.

Motion carried: 5-0

Date Approved: May 9, 2023



Dustin Leslie
City Clerk



Mary B. Supple
Mayor



Katie Rodriguez
City Manager