



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting Virtual Meeting held via WebEx

May 25, 2021

CALL TO ORDER

The meeting was called to order by Mayor Maria Regan Gonzalez at 7:01 p.m. via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Ben Whalen; Mary Supple; Sean Hayford Oleary; and Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Pam Dmytrenko, Assistant City Manager; Mary Tietjen, City Attorney; Amy Markle, Recreation Services Director; Kristin Asher, Public Works Director; Melissa Poehlman, Assistant Community Development Director; Jane Skov, IT Manager; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Administrative Assistant

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

OPEN FORUM

Administrative Assistant Wynn reviewed the options to participate:

- Participate live by calling 612-861-0651 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting kwynn@richfielmn.gov

Administrative Assistant Wynn read an email comment from Sandi Spanier at 7144 Knox Ave who expressed concerns of council members posting to social media.

APPROVAL OF MINUTES

M/Whalen, S/Supple to approve the minutes of the (1) Joint City Council, HRA and Planning Commission Meeting of April 19, 2021; (2) Special Closed City Council Meeting of May 10, 2021; (3) City Council Work Session of May 11, 2021; and (4) City Council Meeting of April 11, 2021.

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Hayford Oleary: AYE
- Whalen: AYE

Motion carried 5-0

Mayor Regan Gonzalez stated Council will be moving back to in person meetings as of June 1, 2021. All public buildings will be opening June 1, 2021 and masks will be highly encouraged.

City Manager Rodriguez stated trends continue to move in the right direction and stated employees will continue to wear masks until further notice.

Council Member Supple asked about commission meetings resuming in person.

City Manager Rodriguez stated commission and HRA/EDA meeting will also be returning to in person as of June 1, 2021.

Item #1	APPROVAL OF THE AGENDA
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M/Trautmann, S/Whalen to approve the agenda

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Hayford Oleary: AYE
- Whalen: AYE

Motion carried 5-0

Item #2	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar.

A. Consider approval of a bid tabulation and award of contract to Corrective Asphalt Materials, LLC for the 2021 Maltene Pavement Rejuvenation Project in the amount \$497,200.00, and authorize the City Manager to approve contract changes under \$175,000 without further City Council consideration. Staff Report No. 74

B. Consider the approval for the collaboration with The Richfield Arts Commission, Mississippi Valley Poets and Writers, and the The Cornerstone Group to install a Poetry Walk around Richfield Lake Park. Staff Report No. 75

C. Consider the adoption of a resolution authorizing Minnesota Department of Transportation Agency Agreement No. 1045363 for Federal Participation in Advance Construction related to the 77th Street Underpass Project. Staff Report No. 76

RESOLUTION NO. 11852

RESOLUTION AUTHORIZING MAYOR AND CITY MANAGER TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION (MnDOT) AGENCY AGREEMENT NO. 1045363 FOR FEDERAL PARTICIPATION IN ADANCE CONSTRUCTION FOR THE 77th STREET UNDERPASS PROJECT STATE PROJECT NO. 157-108-035; 157-594-002, AND 2758-82; SPTF 2719(097)

D. Consider the approval of the Small Wireless Facility Collocation Supplemental Agreements with Cellco Partnership d/b/a Verizon Wireless, that set forth the terms and conditions of collocation on wireless support structures within City right-of-way. Staff Report No. 78

E. Consider the adoption of a resolution authorizing Cooperative Construction Agreement No. 1032757 between the City of Richfield and the State of Minnesota Department of Transportation (MnDOT) for construction of the 77th Street Underpass Project. Staff Report No. 79

M/Supple, S/Hayford Oleary to approve the consent calendar.

Council Member Supple stated the Arts Commission is looking forward to the poetry walk.

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Supple: AYE
- Trautmann: AYE
- Hayford Oleary: AYE
- Whalen: AYE

Motion carried 5-0

Item #3	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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None

Item #4	CONDUCT A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND READING OF A TRANSITORY ORDINANCE VACATING A PORTION OF 5TH AVENUE RIGHT-OF-WAY SOUTH OF 71ST STREET. STAFF REPORT NO. 80
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Council Member Hayford Oleary read staff report 80 and opened the public hearing.

Administrative Assistant Wynn reviewed the options to participate:

- Participate live by calling 612-861-0651 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting kwynn@richfielmn.gov

Administrative Assistant Wynn stated there were no callers.

M/Hayford Oleary, S/Supple to close the public hearing.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Hayford Oleary: AYE
 Whalen: AYE

Motion carried 5-0

M/Hayford Oleary, S/Whalen to approve a second reading of a transitory ordinance vacating a portion of 5th Avenue right-of-way south of 71st Street.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Hayford Oleary: AYE
 Whalen: AYE

Motion carried 5-0

Item #5	CONSIDER A SECOND READING AND A SUMMARY PUBLICATION OF A TRANSITORY ORDINANCE ESTABLISHING A CITY-WIDE SIXMONTH MORATORIUM ON THE ESTABLISHMENT OF ANY NEW COMMERCIAL USE INVOLVING FIREARMS TO ALLOW TIME FOR A PLANNING STUDY. STAFF REPORT NO. 81
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Council Member Trautmann read staff report 81 and opened the public hearing.

Assistant Director Poehlman reviewed the background of why the moratorium is being considered.

Administrative Assistant Wynn reviewed the options to participate:

- Participate live by calling 612-861-0651 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting kwynn@richfielmn.gov

Don Klompeen, 6000 Pleasant Ave, expressed concern for carelessness of human life and would like to protest additional outlets for firearm sales as it would be detrimental.

M/Trautmann S/Whalen to close the public hearing.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Supple: AYE
Trautmann: AYE
Hayford Oleary: AYE
Whalen: AYE

Motion carried 5-0

M/Trautmann, S/Supple to conduct a second reading of the attached transitory ordinance establishing a city-wide six month moratorium on the establishment of new commercial uses involving firearms, and adopt the ordinance.

RESOLUTION NO. 11853

RESOLUTION APPROVING SUMMARY PUBLICATION OF A TRANSITORY ORDINANCE ESTABLISHING A SIX-MONTH MORATORIUM ON THE ESTABLISHMENT OF NEW USES INVOLVING FIREARMS, AND DIRECTING THAT A PLANNING STUDY BE CONDUCTED

Assistant Director Poehlman stated the moratorium will be put into place to review restrictions for firearm sales. Staff will bring a proposal to Council with findings and another public hearing to review any changes made.

Council Member Trautmann amended his motion to include 'approve a resolution authorizing summary publication of said ordinance.'

Council Member Supple confirmed to amend the motion.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Supple: AYE

Trautmann: AYE
 Hayford O'leary: AYE
 Whalen: AYE

Motion carried 5-0

Item #6	CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE CITY TO AFFIRM THE MONETARY LIMITS ON STATUTORY MUNICIPALITY TORT LIABILITY. STAFF REPORT NO. 82
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Council Member Whalen read staff report 82.

Assistant City Manager Dmytrenko stated this item is an annual occurrence with no changes.

M/Whalen, S/Trautmann to adopt a resolution authorizing the City Council to affirm the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

RESOLUTION NO. 11854

RESOLUTION AFFIRMING MUNICIPAL TORT LIABILITY LIMITS ESTABLISHED BY MINNESOTA STATUTES 466.04

Item #7	SUMMARY REVIEW OF THE CITY MANAGER'S ANNUAL PERFORMANCE EVALUATION FOR 2020, HELD ON MAY 20, 2020, AS REQUIRED BY MINN. STATUTES 13D.05 SUBD. 3(A), AND CONSIDERATION OF A RESOLUTION AMENDING EMPLOYMENT AGREEMENT BETWEEN CITY OF RICHFIELD AND CITY MANAGER KATIE RODRIGUEZ FOR 2021. STAFF REPORT NO. 83
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Mayor Regan Gonzalez presented staff report 83, gave a brief summary of the item and thanked City Manager Rodriguez for her tremendous leadership.

Council Member Supple thanked City Manager Rodriguez for her service.

Council Member Whalen echoed comments and was appreciative of the discussions.

Council Member Trautmann thanked City Manager Rodriguez for her work during an exceedingly challenging time and looks forward to the coming year.

Mayor Regan Gonzalez asked staff to provide a review of area city manager salaries.

M/Regan Gonzalez, S/Trautmann to table this item until June 8, 2021 to assess salary increase for City Manager.

Council Member Whalen asked staff when the information would be ready for review.

Assistant City Manager Dmytrenko stated it would be ready for the next meeting to allow Council to make a decision.

City Manager Rodriguez thanked everyone for their kind words and how beneficial the discussion and evaluation had been.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Hayford Oleary: AYE
 Whalen: AYE

Motion carried 5-0

Item #8	<p>CONSIDER A RESOLUTION TERMINATING THE LOCAL EMERGENCY ENACTED IN MARCH 2020 IN RESPONSE TO THE COVID-19 PANDEMIC. THE LOCAL EMERGENCY WAS DECLARED BY THE MAYOR VIA PROCLAMATION ON MARCH 16, 2020 AND EXTENDED BY CITY COUNCIL ON MARCH 18, 2020 PURSUANT TO MINNESOTA STATUTES SECTION 12.29. STAFF REPORT NO. 84</p>
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Mayor Regan Gonzalez read staff report 84.

M/Regan Gonzalez, S/Supple to adopt the resolution terminating the local emergency.

RESOLUTION NO. 11856

A RESOLUTION TERMINATING THE LOCAL EMERGENCY

Council Member Whalen clarified the city is lifting the local emergency but will not stop offering covid mitigations.

Council Member Trautmann stated just because it is non-emergent does not mean it is still urgent.

Mayor Regan Gonzalez thanked staff and Council for all the tremendous work during the pandemic but also recognized the city needs to keep moving forward.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Hayford Oleary: AYE
 Whalen: AYE

Motion carried 5-0

Item #9	CONSIDER THE MAYOR'S APPOINTMENT OF A CIVIL SERVICE COMMISSIONER. STAFF REPORT NO. 85
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Mayor Regan Gonzalez presented staff report 85.

Administrative Assistant Wynn stated staff continued recruitment for this commission until a candidate was found as there is not usually many who apply for the Civil Service Commission but is an important group of people for the Richfield Fire Department.

Mayor Regan Gonzalez thanked President Stratton of the Civil Service Commission and Fire Chief Dobesh for assisting with recruitment.

M/Regan Gonzalez, S/Whalen to approve appointment of James Frechette as Civil Service Commissioner commencing on May 25, 2021 and expiring January 31, 2024.

Executive Analyst Martinez Gavina took roll call vote:
 Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Hayford Oleary: AYE
 Whalen: AYE

Motion carried 5-0

Item #10	CITY MANAGER REPORT
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City Manager Rodriguez reviewed previous open forum comments. She then spoke of the work session Council had regarding the potential design of a new Wood Lake Nature Center building.

Item #11	CLAIMS AND PAYROLL
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M/Trautmann, S/Whalen that the following claims and payrolls be approved:

U.S. Bank	05/25/2021
A/P Checks 296829 - 297256	\$ 2,355,155.93
Payroll: 161599 - 161895	<u>699,134.48</u>
TOTAL	\$ 3,054,290.41

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Hayford Oleary: AYE

Whalen: AYE

Motion carried 5-0

Item #12	HATS OFF TO HOMETOWN HITS
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Council Member Supple thanked the board of Honoring all Veterans and encouraged residents to visit the memorial during the upcoming weekend. She also urged everyone to continue to work toward justice and ending racism to honor the memory of George Floyd.

Council Member Whalen recognized the one year anniversary of the passing of George Floyd and would like to continue to work for change. He also spoke of the upcoming public hearing regarding organized collection for an in person meeting on June 1, 2021. Lastly, he reminded residents of the bike giveaway for kids happening on June 26, 2021 at Taft Park.

Council Member Hayford Oleary spoke of a resident sharing drone photographs of the city. He also stated he was able to attend the groundbreaking of the renovation of Hope Church and is glad to see the project getting started.

Council Member Trautmann echoed comments on visiting the memorial in Veteran's Park.

Mayor Regan Gonzalez spoke of the extraordinary situations, amount of loss and glaring inequities identified in the last year yet she is hopeful things will continue to change and bring communities closer together.

Item #13	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:13 p.m.


Date Approved: June 8, 2021



 Kelly Wynn
 Administrative Assistant



 Maria Regan Gonzalez
 Mayor



 Katie Rodriguez
 City Manager