



**REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
JUNE 28, 2022
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Pledge of Allegiance

Open forum

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council. Please refer to the City Council web page for additional ways to submit comments. You may also call 612-861-9711 or email kwynn@richfieldmn.gov with questions. Call into the open forum by dialing 1-415-655-0001 Use webinar access code: 2452 216 1058 and password: 1234.

Approve the Minutes of the: (1) City Council Work Session of June 14, 2022; and (2) Regular City Council Meeting of June 14, 2022.

PRESENTATIONS

1. Farewell from Martin Costello

AGENDA APPROVAL

2. Approval of the Agenda
3. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Cancel a public hearing to consider a request for an appeal to a variance denial for a trash enclosure location farther away from the building.

Staff Report No. 96
 - B. Consider the approval of a license agreement with E-Clan, Inc. d/b/a B&J Trees, to sell trees under the picnic pavilion at Veterans Park.

Staff Report No. 97
 - C. Consider adoption of a resolution authorizing the Mayor and City Manager to execute the Temporary Construction Easement Agreement between Reality Income Properties and Northern Tier Retail, LLC, on behalf of the City of Richfield for the property located near 66th Street and Rae Drive (Speedway), upon finalization of the agreement for the 65th Street Reconstruction Project

Staff Report No. 98

4. Consideration of items, if any, removed from Consent Calendar

PUBLIC HEARINGS

5. Public hearing and consider the approval of a new On Sale Intoxicating and Sunday Liquor licenses for MC Richfield, LLC dba Millions Crab located at 9 66th Street East.

Staff Report No. 99

RESOLUTIONS

6. Consider the adoption of a resolution appointing election judges for the Primary Election of August 9, 2022.

Staff Report No. 100

CITY MANAGER'S REPORT

7. City Manager's Report

CLAIMS AND PAYROLLS

8. Claims and Payroll

COUNCIL DISCUSSION

9. Hats Off to Hometown Hits

CLOSED EXECUTIVE SESSION

10. Closed Executive Session regarding the City Manager's annual performance evaluation.
11. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9739.



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Joint City Council and Planning Commission Work Session

June 14, 2022

CALL TO ORDER

The work session was called to order by Mayor Regan Gonzalez at 6:01 p.m. in the Bartholomew Room.

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

Planning Commission Members Present: Brett Stursa; Brendan Kennealy; and Cole Hooey

Planning Commission Members Absent: James Rudolph, Chair; Ben Surma; Kathryn Quam; and Eddie Holmvg-Johnson

Staff Present: Katie Rodriguez, City Manager; Melissa Poehlman, Community Development Director; Chris Swanson, Management Analyst; and Kelly Wynn, Administrative Assistant

ITEM #1	CONTINUED DISCUSSION REGARDING MISSING MIDDLE HOUSING
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Mayor Regan Gonzalez turned the work session over to Community Development Director Poehlman.

Director Poehlman discussed the process overview, missing middle housing recap, visual preference survey, and overall direction along with staff recommendations. She also spoke of building size preference, policy direction regarding size

Council Member Whalen expressed concern regarding size.

Commissioner Hooey asked if a resident could purchase two single family homes and tear down then build one home across two parcels.

Director Poehlman stated residents could build across two parcels so building width could be considered in discussions

Council Member Hayford Oleary asked about the various divisions and how they would be affected.

Director Poehlman stated R1 would be left alone. She then discussed entry/doorway preferences.

Council Member Supple asked for clarification from lot line.

Director Poehlman explained it is the side lot line that is concerned. She also spoke of parking preferences and recommendations, overall design, recommendations and next steps.

Commissioner Stursa appreciated the side yard setback and asked how realistic it would be to build a duplex on most of the Richfield lots.

Director Poehlman said staff has done research and duplexes can fit on as low as 45 foot lots. She then stated staff would like to have a demonstration lot to display layouts.

Council Member Hayford Oleary appreciated staff work and wanted feedback on not having a garage requirement.

Commissioner Hooey asked what the compelling argument would be to require a garage.

Council Member Trautmann echoed thoughts.

Director Poehlman would like to weigh in with Environmental Health staff when it comes to storing things outside.

Council Member Whalen discussed potential concern for future use and garbage bin storage.

Commissioner Hooey stated it does increase the value of the home to have a garage and makes it more appealing.

Council Member Supple asked about homes currently being built that are more than 50% garage/house visibility.

Director Poehlman stated it would affect permits that come in after the new guidelines are approved.

Council Member Hayford Oleary shared preference of 50% of width versus façade.

Council Member Whalen one entry versus two seems like an unnecessary restriction. He then asked about the possibility of triplex or four-plex buildings being allowed. He stated he would like to allow a porch to be considered habitable space.

Commissioner Hooey discussed the side entry access and asked how much of a disturbance it is for residents.

Director Poehlman stated staff was discussing a set in door to comply with a 5 foot access to neighboring lot line.

Council Member Supple believes duplexes will fit in most neighborhoods.

Commissioner Kennealy supported recommendations.

Mayor also supported recommendations and is not opposed to multiple entry doors.

Commissioner Kennealy asked about encouraging individual investors versus corporate investors.

Council Member Trautmann asked about the availability HRA dollars to support this process.

Director Poehlman stated there are dollars available if this were to be passed but there is not currently a program for investors.

Commissioner Hooey stated he would rather see individual investors versus corporates.

Commissioner Hayford Oleary asked if an ADU would be allowed on the same lot as a duplex.

Director Poehlman stated they have not explored that but it most likely would be allowed.

Council Member Supple asked about rules regarding a 'bed and breakfast.'

Director Poehlman stated a resident could build a duplex but then would need a conditional use permit to use part of it as a 'bed and breakfast.' She spoke of the importance to adopt this process now and exploring additional options moving forward.

Commissioner Stursa prefers garages to be flush with habitable space on the front of homes.

Council Member Trautmann and Commissioner Kennealy stated a garage to be flush with a porch would be suitable.

Mayor Regan Gonzalez and Commissioner Hooey echoed Commissioner Stursa's comments.

Council Member Supple doesn't have strong feelings either way

Director Poehlman recapped that there is not strong consensus for either side. Staff will do some more research.

Mayor Regan Gonzalez complimented staff and commissioners to prioritize affordability and diverse use of housing. She expressed excitement to have such options for residents.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:51 p.m.

Date Approved: June 28, 2022

Maria Regan Gonzalez
Mayor

Kelly Wynn
Administrative Assistant

Katie Rodriguez
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting

June 14, 2022

CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 7:00 p.m. in the Council Chambers.

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

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Jennifer Anderson, Health Administrator; Kumud Verma, Finance Manager; Chris Swanson, Management Analyst; and Kelly Wynn, Administrative Analyst

Others Present: Rebecca Kurtz, Ehlers

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance.

OPEN FORUM

Mayor Regan Gonzalez 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

Larry Ernster, 6727 Elliot Ave S, voiced concerns regarding the construction of more apartments in Richfield and stated how taxes collected from apartments do not support the community and higher density that comes with apartments would bring more problems to Richfield.

City Manager Rodriguez read emailed comments by Diane Harayda, 6701 Thomas Ave S, regarding the Council's support of fair and equitable housing, the perchloroethylene mitigation at 66th and Penn, and would like to see more support for local businesses.

APPROVAL OF MINUTES

M/Trautmann, S/Supple to approve the minutes of the: (1) City Council Work Session of May 24, 2022; and (2) Regular City Council Meeting of May 24, 2022.

Motion carried 5-0.

ITEM #1	PROCLAMATION SUPPORTING THE LGBTQIA+ COMMUNITY BY DECLARING JUNE TO BE PRIDE MONTH IN RICHFIELD
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Mayor Regan Gonzalez read and presented the proclamation to Human Rights Commissioner Mara Glubka.

Commissioner Glubka expressed how necessary it is to have allies and those with good hearts promoting acceptance for children.

Mayor Regan Gonzalez thanked Commissioner Glubka for her leadership and her work within the community.

Council Member Supple echoed comments of Mayor Regan Gonzalez and stressed the importance of Richfield taking a stand against discrimination to protect the human rights of all residents.

Council Member Hayford O'Leary spoke candidly of how much this proclamation means to him as he is able to live openly and expressed thankfulness for the acceptance that Richfield has shown which is not taken for granted. He showed optimism for forward progression of acceptance for all in the queer community.

Council Member Whalen echoed the comments previously spoken and acknowledged that these celebratory moments came at a cost of which there still is more work to do to become a fully inclusive country.

Council Member Trautmann thanked Commissioner Glubka and stated that civil liberties are not taken for granted; civil rights matter and we will stand together as one community.

ITEM #2	PROCLAMATION ACKNOWLEDGING AND CELEBRATING THE JUNETEENTH FREEDOM DAY IN THE CITY OF RICHFIELD
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Mayor Regan Gonzalez read and presented the proclamation to Commissioner Glubka.

Council Member Supple thanked the Human Rights Commission for these proclamations.

Council Member Trautmann stated that events like Juneteenth are important to connect us to our history because we can recognize work that we still need to do as a community. He also extended appreciation to the Human Rights Commission on their good work.

Mayor Regan Gonzalez showed appreciation for Dr. Joyce Marrie, Executive Director of Crossroads Panorama and Richfield Arts Commissioner, who has been very committed to sharing the history of slavery and oppression of African-American community members, youth leadership through performance and art, and connecting our history to our present responsibilities as community members. Commissioner Glubka offered to hand-deliver the proclamation to Dr. Joyce Marrie.

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

Motion carried 5-0.

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

- A. Consider approval of a contract with Kimley-Horn and Associates, Inc., to provide construction engineering services for the 65th Street Reconstruction Project for a fee not to exceed \$851,153.00. (Staff Report No. 89)
- B. Consider the approval of setting a public hearing to be held on June 28, 2022, to consider the issuance of new On-Sale Intoxicating Liquor and Sunday Sale Liquor licenses for MC Richfield, LLC dba Millions Crab, located at 9 66th Street East. (Staff Report No. 90)
- C. Consider approval for a Temporary On Sale Intoxicating Liquor license for the Academy of Holy Angels, located at 6600 Nicollet Avenue S., for their annual Rock The Lawn event scheduled to take place June 25, 2022. (Staff Report No. 91)
- D. Consider approval of a Temporary On Sale Intoxicating Liquor license for the 4th of July event scheduled to take place July 4, 2022, at Fred Babcock VFW #5555, located at 6715 Lakeshore Dr. (Staff Report No. 92)
- E. Consider adoption of a resolution authorizing the City to affirm the monetary limits on statutory municipality tort liability. (Staff Report No. 93)

RESOLUTION NO. 11982

**RESOLUTION AFFIRMING MUNICIPAL TORT LIABILITY LIMITS
ESTABLISHED BY MINNESOTA STATUTES 466.04**

- F. Consider adoption of a resolution authorizing the purchase of a permanent lighting easement at 900 Rae Dr for the 65th Street Reconstruction Project. (Staff Report No. 94)

RESOLUTION NO. 11983

**RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO MAKE
PAYMENT FOR THE PURCHASE OF A PERMANENT LIGHTING
EASEMENT AT 900 RAE DRIVE (PID# 28-028-24-14-0012) AS A
PART OF THE 65TH ST RECONSTRUCTION PROJECT**

M/Supple, S/Trautmann to approve the consent calendar.

Motion carried 5-0.

ITEM #5	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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None.

ITEM #6	CONSIDER ADOPTION OF A RESOLUTION AWARDING THE SALE OF \$10,000,000 GENERAL OBLIGATION BONDS, SERIES 2022A. (STAFF REPORT NO. 95)
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Council Member Supple presented Staff Report 95.

City Manager Rodriguez introduced Finance Manager Kumud and Senior Municipal Advisor Rebecca Kurtz from Ehlers.

Finance Manager Verma provided a brief background of her work and expressed excitement to work for the City. Council welcomed Manager Verma.

Advisor Kurtz presented on the bonds bids process, highlighted some statements from S&P Global Ratings, and reviewed the six bids submitted. The recommendation is to award the bid from Piper Sandler & Co at 3.74% interest which is slightly higher than estimated. They anticipate closing the bonds on July 7.

Council Member Whalen asked about the new levy amount with the increased interest. Advisor Kurtz stated that the new levy amount would be on average \$430,000 over 20 years.

City Manager Rodriguez stated Council authorized \$1.1 million of ARPA funds and there is a \$325,000 savings.

Council Member Trautmann thanked Ehlers for their work along with staff and Director Asher to continue to invest in infrastructure within Richfield. He spoke of how it is not fiscally responsible to 'save up' and set money aside versus bonding and investing.

Mayor Regan Gonzalez spoke of how this project has already been deferred due to Covid but now is the right time to invest. She also thanked staff for making hard decisions and the support from Ehlers.

M/Supple, S/Trautmann to adopt a resolution awarding the sale of General Obligation Bonds, Series 2022A, in the original aggregate principal amount of \$10,000,000; Fixing their form and specifications; Directing their execution and delivery; and providing for their payment.

Council Member Supple mentioned that by deciding to make the move now instead of in two years that we saved \$900,000 and now we also get another \$300,000 of ARPA money back to invest into other services. She also stated that this project will help alleviate a lot of the flooding.

Council Member Hayford Oleary asked if the motion needed to award the bid bond to Piper Sandler. City Attorney Tietjen stated that the resolution would be updated to reflect the award and the motion did not need to be amended. City Manager Rodriguez stated that an updated resolution has already been created.

Council Member Trautmann commented on how this project will make Richfield more walkable and safer for residents that live near 65th Street and mentioned that there is infrastructure in the parking lots of the HUB that would be reconfigured to allow for the HUB to be redeveloped into a better space.

Motion carried 5-0.

ITEM #7	CITY MANAGER'S REPORT
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City Manager Rodriguez explained Bloomington Public Health will no longer be issuing a weekly covid report and stated that wastewater data and other reports show that covid cases are trickling downward.

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

<u>U.S. BANK</u>	<u>6/14/2022</u>
A/P Checks: 306572 – 307063	\$2,120,250.32
Payroll: 170487 – 171109, 43470 – 43471	<u>\$1,542,933.10</u>
TOTAL	\$3,664,183.42

Motion carried 5-0

ITEM #9	HATS OFF TO HOMETOWN HITS
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Council Member Whalen shared that summer entertainment at the Bandshell started today. He thanked Public Works staff for their work negotiating with MnDOT and clearly stating our values and goals as a city.

Council Member Supple expressed appreciation for the Richfield Farmer's Market and stated that at the June 18 Farmer's Market, the Arts Commission will host an event called Jazzy Art in the Park with family art activities and jazz music. She shared that June is Bike to Work Month in conjunction with the 494 Corridor Commission and an event will be held at the REI in Bloomington on June 23 to celebrate.

Council Member Hayford O'leary thanked Public Works department for their assistance with some resident concerns regarding construction projects. He also thanked residents for their patience with the traffic congestion caused.

Council Member Trautmann shared a recent experience at Wood Lake Nature Center and expressed gratitude for our legislators that are advocating for upgrades to the nature center for the community and region.

Mayor Regan Gonzalez congratulated all recent Richfield graduates and applauded their leadership, resiliency, and creativity during the past two years. She mentioned the Galaxy Grocery Store will be having a block party on June 25 to build and celebrate community and to help design a community mural.

ITEM #10	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 7:53 p.m.

Date Approved: June 28, 2022

Maria Regan Gonzalez
Mayor

Kari Sinning
City Clerk

Katie Rodriguez
City Manager



STAFF REPORT NO. 96
CITY COUNCIL MEETING
6/28/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

DEPARTMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
6/22/2022

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
6/22/2022

ITEM FOR COUNCIL CONSIDERATION:

Cancel a public hearing to consider a request for an appeal to a variance denial for a trash enclosure location farther away from the building.

EXECUTIVE SUMMARY:

Hope Church has requested to withdraw their request for an appeal to a variance denial for a trash enclosure location farther away from the building. A new dumpster location and design plan was presented by Hope Church which meets the spirit of the zoning code which was administratively approved by the Community Development Director, Melissa Poehlman.

RECOMMENDED ACTION:

By motion: Cancel a public hearing for an appeal to a variance denial for a trash enclosure location farther away from the building.

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT**

None

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

None

C. **CRITICAL TIMING ISSUES:**

None

D. **FINANCIAL IMPACT:**

None

E. **LEGAL CONSIDERATION:**

Notice of the public hearing was published in the Sun Current newspaper on June 16, 2022.

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

Keith Koenig or other representative(s) from Hope Church



STAFF REPORT NO. 97
CITY COUNCIL MEETING
6/28/2022

REPORT PREPARED BY: Amy Markle, Recreation Services Director

DEPARTMENT DIRECTOR REVIEW: Amy Markle, Recreation Services Director

OTHER DEPARTMENT REVIEW: NA

CITY MANAGER REVIEW: Katie Rodriguez
6/22/2022

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of a license agreement with E-Clan, Inc. d/b/a B&J Trees, to sell trees under the picnic pavilion at Veterans Park.

EXECUTIVE SUMMARY:

E-Clan, Inc., doing business as B&J Trees, has been selling trees during the holiday season underneath the picnic pavilion in Veterans Parks for many years. The operation supplies a steady revenue source for the facility every year. Preparation for tree sales takes place just before Thanksgiving Day and sales start no earlier than the day after. Sales terminate no later than December 24th or when all marketable trees have been sold, whichever occurs first.

The term of the agreement is four years, beginning November 1, 2022 and continuing through December 31, 2025. The term of the license begins November 1 of each year through December 31 of each year of the Agreement. On or after December 31 of any year during the term of the Agreement, the City may terminate this License Agreement without cause by giving E-Clan written notice of the termination. E-Clan shall pay to the City a license fee in the amount of \$8,500.00 for the 2022 season. The following year's license fees are as follows:

- 2023 - \$8,925
- 2024 - \$9,371
- 2025 - \$9,839

E-Clan is responsible for garbage removal during term of the license and returning the property to the same condition as it existed before including the removal of all trees, needles, sales materials, the house trailer, light strings, and any other debris from the property.

E-Clan will be utilizing City owned property that is used primarily for the purpose and promotion of outdoor recreation. E-Clan understands and agrees that these spaces collectively are available for traditional recreational and park uses and must remain fully open to the public. Any advertising signs placed by E-Clan must indicate that activities are sponsored by the City of Richfield. E-Clan also understands and agrees that, except as allowed under this Agreement, no other commercial uses are permissible. The City reserves the right to conduct or sponsor additional recreational activities, as well as store recreational equipment, in the areas covered by this Agreement.

RECOMMENDED ACTION:

By motion: Approve a license agreement with E-Clan, Inc. d/b/a B&J Trees, to sell trees under the picnic pavilion at Veterans Park.

BASIS OF RECOMMENDATION:**A. HISTORICAL CONTEXT**

E-Clan has been selling trees under the picnic pavilion in Veterans Park for more than 25 years. This well established service provides Richfield residents a steady supply of trees for the holiday and fun winter activities for families.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

Contracts and agreements of this type are typically reviewed and considered by City Council.

C. CRITICAL TIMING ISSUES:

There are no critical timing issues for this item.

D. FINANCIAL IMPACT:

Under the License Agreement, the City will receive a license fee payment in the amount of \$8,500 for the 2022 season. The license fee for 2022 increased considerably over last year's fee of \$7,710. The license fee increases approximately 5% each year as follows:

- 2023 - \$8,925
- 2024 - \$9,371
- 2025 - \$9,839
- License fees collected from E-Clan will be credited to the Special Facilities Operating Budget, account #20037-4612.

E. LEGAL CONSIDERATION:

- The City Attorney prepared the amendment and original agreement.
- The license agreement was reviewed and approved by Joe Hiller, Minnesota DNR Grants Manager, for compliance with covenants associated with State Outdoor Recreation Grants Agreement used for funding improvements in Veterans Park.

ALTERNATIVE RECOMMENDATION(S):

Staff believes that a partnership with E-Clan will continue to provide a steady revenue source and a popular holiday activity for Richfield families; however, the Council may chose not to approve the Agreement and continue to operate the facility without tree sales.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Kris Weiby, Facility Manager of Veterans Park

ATTACHMENTS:

Description	Type
❑ eclantreelease	Cover Memo
❑ Christmas Tree Space	Cover Memo

License Agreement for Tree Sales at the Farmer's Market

This agreement is made this _28th day of _June_____, 2022, by and between the City of Richfield (the City), a municipal corporation, and E-Clan Inc., D/B/A B&J Trees ("E-Clan"), a Minnesota corporation.

Recitals

- A. City is the owner of certain real estate located at 64th and Portland Avenue in the city of Richfield, which is commonly known as the Farmer's Market (the Property).(See attached map A to define the License space.)
- B. E-Clan Inc desires to use the Property for the storing, displaying and selling of Christmas trees, and the City desires to permit such use, subject to the terms and conditions of this Agreement.

Terms and Conditions

- 1. **Grant of License.**The City grants E-Clan Inc. an exclusive license to enter upon and to use the Property for the purpose of storing, displaying and selling of Christmas trees to the public.
- 2. **Term of License.** This Agreement begins November 1, 2022 and continues through December 31, 2025.The term of the license granted by this Agreement begins November 1 of each year through December 31 of each year of the Agreement. On or after December 31 of any year during the term of the Agreement, the City may terminate this License Agreement without cause by giving E-Clan written notice of the termination.
- 3. **Sales.** Preparations for sales may take place before Thanksgiving and sales shall start no earlier than the day after Thanksgiving. Sales must terminate when all marketable trees have been sold or no later than December 24th, whichever occurs first.
- 4. **License Payment.** E-Clan shall pay to the City a license fee in the amount of \$8,500 for the 2022 season. An initial payment of \$500 is due no later than November 1 of each year of this Agreement and the remaining balance is due no later than December 1 of that year. The following year's license fees are as follows:
 - 2023 \$8,925
 - 2020 \$9,371
 - 2021 \$9,839
- 5. **Hours of Operation.**E-Clan may conduct tree sales on the Property only during the hours of 9 AM – 9 PM daily, during the term of the License.
- 6. **Utilities.** E-Clan will have access to electrical outlets on the Property for its operations. The City will have control and supervision over electrical facilities.
- 7. **Garbage Removal.** E-Clan is responsible for garbage removal during the term of the License.
- 8. **Snow Removal.** The City will plow the parking lot and entry to the Property as needed.

9. **Advertising.** The City will advertise E-Clan tree sales in the Farmer's Market bulletin and by distributing flyers. The extent of advertising assistance provided by the City is entirely within the discretion of the City. E-Clan will reimburse the City for any out- of- pocket costs incurred in advertising tree sales that had prior approval by E-Clan.
10. **Property Clean UP.** E-Clan will return the Property to the City in substantially the same condition as it existed before this Agreement. After each sales period has ended, E-Clan must remove all trees, needles, sales materials, the house trailer, light strings, and any other debris from the property.
11. **Insurance.** At all times during the term of this License, E-Clan will keep in force a public liability insurance policy in the amount of at least two million dollars. The City must be named as an additional name insured on the policy. E-Clan must provide the City with a certificate of insurance evidencing that the required insurance is in force and effect before any activities allowed by this Agreement may commence.
12. **Premises Use.** E-Clan may only utilize vehicles on the Property for loading and unloading merchandise. E-Clan employees must use the adjacent lot to park their vehicles during hours of operation. E-Clan must maintain an area approximately 20 feet x 30 feet, as defined in the attached map A, to be used and available to the public as a seating area. The Facility, Building, and Operating Space are city facilities used primarily for the purpose and promotion of outdoor recreation. Manager understands and agrees that these spaces collectively are available for traditional recreational and park uses and must remain fully open to the public. Any advertising signs placed by Manager must indicate that activities are sponsored by the City of Richfield. Manager also understands and agrees that, except as allowed under this Agreement, no other commercial uses are permissible. The City reserves the right to conduct or sponsor additional recreational activities, as well as store recreational equipment, in the areas covered by this Agreement.
13. **Publicity.** The facility will be identified as publicly owned and operated in all signs, literature, and advertising to eliminate the perception that the facility is privately owned.
14. **Indemnification.** E-Clan agrees that it will defend, indemnify, and hold harmless the City, its officers, employees, and agents, against any and all liabilities, claims, damages, costs and expenses (including reasonable attorneys' fees) resulting directly or indirectly from an act or omission of E-Clan's employees, or others under its control, relating to the activities and obligations under this Agreement.

E-Clan Inc, D/B/A B&J Trees

City of Richfield

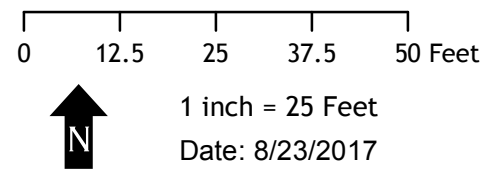
By: _____
Owner Date

by: _____
City Mayor Date

By: _____
City Manager Date



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Resident Space
Tree Space

E/Clan Lease Agreement



I:\GIS\Recreation\Staff\Weiby\Christmas TreeSpace.mxd



STAFF REPORT NO. 98
CITY COUNCIL MEETING
6/28/2022

REPORT PREPARED BY: Olivia Wycklendt, Civil Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director
6/23/2022

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
6/23/2022

ITEM FOR COUNCIL CONSIDERATION:

Consider adoption of a resolution authorizing the Mayor and City Manager to execute the Temporary Construction Easement Agreement between Reality Income Properties and Northern Tier Retail, LLC, on behalf of the City of Richfield for the property located near 66th Street and Rae Drive (Speedway), upon finalization of the agreement for the 65th Street Reconstruction Project.

EXECUTIVE SUMMARY:

As part of the 65th Street Reconstruction Project, certain temporary construction easements must be acquired for construction. Temporary construction easements are sometimes needed in order to implement major infrastructure projects and facilitate the construction thereof. For temporary construction easements the area remains under ownership of the property owner and it is restored and turned-back after construction is complete.

This Temporary Construction Easement Agreement is required to complete the work in and around the property at 66th Street and Rae Drive (Speedway). The work involves two driveways, located on the East side of Rae Dr. To minimize the impacts on fuel delivery, this agreement sets the terms for the closing, removal, and replacement of the the two driveway aprons.

This agreement outlines the terms and conditions for the work and has been substantially agreed upon by Speedway and the City. The exact durations of driveway closures are currently being finalized between Speedway and the City.

In order for this easement to become effective, City Council must approve the agreement between the property owners and the City.

RECOMMENDED ACTION:

By motion: Approve the resolution authorizing the Mayor and City Manager to execute the Temporary Construction Easement Agreement between Reality Income Properties and Northern Tier Retail, LLC, on behalf of of the City of Richfield for the property located near 66th Street and Rae Drive (Speedway), upon finalization of the agreement for the 65th Street Reconstruction Project.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The 65th Street Reconstruction Project will improve pavement conditions, replace deteriorating sidewalks, and upgrade aging underground utilities while improving operational safety for pedestrians, bicyclists, and vehicles. The project also provides an opportunity to address a longstanding flooding issue in the area of 65th Street and the HUB shopping center.
- The City Council approved the preliminary design layout for the 65th Street Reconstruction Project on July 28, 2020.
- The 100% design plan was completed for the 65th Street Reconstruction project and went out to bid on March 3rd, 2022, with anticipated construction in 2022 and 2023.
- A waiver of trespass was initially proposed to Reality Income Properties ("Owner") and their tenant, Northern Tier Retail ("Speedway"). Speedway requested that a Temporary Construction Easement agreement be executed in order to accommodate site operations.
- Discussions between Speedway's attorney and City staff over the agreement have nearly reached a conclusion, however the agreement will need approval prior to the start of construction on July 18th, 2022.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

The city has authority to acquire easements through direct negotiation and if no agreement can be reached the city can acquire property through eminent domain for public purposes.

C. CRITICAL TIMING ISSUES:

Staff is requesting that Council authorize the Mayor and City Manager to execute the final agreement once final conditions have been agreed upon.

Approval of the Temporary Construction Easement Agreement will allow construction to begin as planned on July 18th, 2022.

D. FINANCIAL IMPACT:

None

E. LEGAL CONSIDERATION:

The City Attorney has reviewed the agreement and will be available at the meeting to answer questions.

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
□ Resolution	Resolution Letter
□ DRAFT Temporary Construction Easement Agreement	Contract/Agreement

RESOLUTION NO.

RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A TEMPORARY CONSTRUCTION RIGHT-OF-WAY EASEMENT AT 826 66TH ST WEST (PID# 28-028-24-41-0039) UPON FINALIZATION OF AGREEMENT AS A PART OF THE 65TH STREET RECONSTRUCTION PROJECT

WHEREAS, the City Council of the City of Richfield is the official governing body of the City of Richfield; and

WHEREAS, the City, a Minnesota municipal corporation acting by and through its City Council, is authorized by law to acquire land and other interests in real estate which are needed for public use or purpose; and

WHEREAS, the City Council finds that public safety and convenience require that the City undertake and complete improvements known as the 65th Street Reconstruction Project to improve the pavement conditions, replace deteriorating sidewalks and upgrade aging underground utilities while improving operational safety for pedestrians, bicyclists and vehicles; and

WHEREAS, it is necessary to acquire temporary construction right-of-way easements encumbering the property at 826 W 66th St West (PID# 28-028-24-41-0039); and

WHEREAS, the good faith efforts of employees and agents of the City, in addition to the property owner and their respective tenant, have created a draft of the terms and conditions of the temporary construction agreement.

WHEREAS, The City wants to begin construction on schedule; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Richfield hereby authorizes the Mayor and the City Manager to execute the agreement pending the finalization of the agreement to ensure timely construction of the project in 2022.

Adopted by the City Council of the City of Richfield, Minnesota this 28th day of June, 2022.

Maria Regan Gonzalez, Mayor

ATTEST:

Kari Sinning, City Clerk

DRAFT

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is made this ____ day of _____, 2022, by Realty Income Properties 3, LLC, a Delaware limited liability company, (“Realty Income”) and Northern Tier Retail, LLC a Delaware limited liability company d/b/a Speedway (“Speedway”) (collectively, “**Grantors**”), in favor of the City of Richfield, a Minnesota municipal corporation (“**Grantee**”) (together with Grantors referred to collectively, as the “**Parties**” or each a “**Party**”).

RECITALS

- A. Realty Income is the fee owner of certain real property legally described on attached **Exhibit A** (the “**Property**”) and Speedway is the tenant of the Property.
- B. Grantors wish to grant to Grantee a temporary easement for the construction of a driveway and sidewalk, and restoration of adjacent areas, which are depicted on attached **Exhibit B**, (the “**Easement Area**”) according to the terms and conditions contained here (the “**Easement**”).
- C. Grantors also wish to retain all rights provided by Minnesota Constitution Article 1, Section 13, and Minnesota Statutes Chapter 117.

TERMS OF EASEMENT

- 1. Recitals. The recitals above are hereby incorporated herein and made part of the Easement.
- 2. Grant of Easement. For good and valuable consideration, receipt of which is acknowledged by Grantors, Grantors grant and convey to the Grantee a temporary easement, for the construction purposes described in paragraph 3, over, under, across, and through the Easement Area.
- 3. Scope of Easement. The Easement includes the right of Grantee, its contractors, agents, and employees to enter upon the Easement Area at all reasonable times during the Term for the purposes of removing the existing driveway, installing the reconstructed driveway, reconstructing public sidewalk, and restoring adjacent areas (the “**Work**”).

The temporary easement granted herein also includes the right to cut, trim, or remove any landscaping, improvements, or vegetation within the Easement Area that in Grantee’s judgment unreasonably interferes with the Work. Any areas of the Property altered by the Work will be repaired or replaced by Grantee or its contractors to better or prior condition.

Grantors will not erect, construct, or create any building, improvement, obstruction or structure of any kind within the Easement Area during the term of this easement, either above or below the surface or change the grade thereof without the express written permission of Grantee.

Grantee will complete the Work in such a manner which allows Speedway’s fuel delivery trucks to exit the Property onto Rae Drive through the northern driveway within the Easement

Area except that Speedway and Grantee will coordinate to temporarily close the northern driveway for the following two occurrences: 1) for not more than 12 hours to allow Grantee to remove the existing northern driveway and establish a temporary driveway, and 2) for not more than 72 hours to allow Grantee to remove the temporary driveway and reconstruct the northern driveway access from the Property to Rae Drive within the Easement Area as depicted in Exhibit B. The temporary driveway established between the 12-hour and 72-hour closures will last no more than ten days and will be maintained by the Grantee.

Comment [JP1]: This timeframe is still being negotiated and will be finalized prior to execution by the Mayor and City Manager.

Grantee will provide Speedway a notice of the 72-hour closure at least 48 hours before the closure (the "Notice") of the northern driveway within the Easement Area by sending the Notice via email to:

Colin Foutz, Corporate Property Manager
colin.foutz@7-11.com

With a copy to:

David Sienko, attorney
dsienko@levander.com

The purpose of the Notice is to allow Speedway sufficient time to coordinate a fuel delivery immediately before and after the 72-closure of the northern driveway within the Easement Area.

4. Reservation of rights. Realty Income and Speedway reserve all rights under Minnesota Constitution Article 1, Section 13, and Minnesota Statutes Chapter 117 to bring a claim to compel Grantee to initiate condemnation proceedings pursuant to Minnesota Statutes Chapter 117. Notwithstanding this reservation of rights, Grantors will not bring any claims against Grantee for alleged damages related to the temporary closures described in paragraph 3.

5. Warranty of Title. Realty Income warrants that it is the owner of the Property and Speedway warrants that it is the tenant of the Property and together they have the right, title, and capacity to convey the Easement to the Grantee.

6. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding on Grantor and its successors and assigns.

7. Environmental Matters. Grantee shall not be responsible for any costs, expenses, damages, demands, obligations, including penalties and reasonable attorneys' fees, or losses resulting from any claims, actions, suits or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants which may have existed on, or which relate to, the Easement Area or the Property prior to the date of this instrument.

8. Counterparts. This Easement may be executed in counterparts, which shall together constitute one and the same instrument. A true and accurate fax or PDF of this Agreement shall have the same legal effect as an original.

9. Term. The easement granted herein shall expire on December 31, 2023.

STATE DEED TAX DUE HEREON: NONE

[Remainder of the page is intentionally blank; the signature pages follow.]

IN TESTIMONY WHEREOF, the parties have caused this Easement to be executed as of the day and year first above written.

GRANTOR:

By: _____

Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by _____, the _____ of Realty Income Properties 3, LLC, a Delaware limited liability company, on behalf of Realty Incomes Properties 3.

Notary Public

THIS INSTRUMENT DRAFTED BY:
Kennedy & Graven, Chartered
(MDT) 150 South Fifth Street,
Suite 700
Minneapolis, MN 55402
(612)337-9300

By: _____

Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2022 by _____ the _____ of Northern Tier Retail, LLC a Delaware limited liability company d/b/a Speedway.

Notary Public

EXHIBIT A

Legal Description of the Property

All of Tract C, and

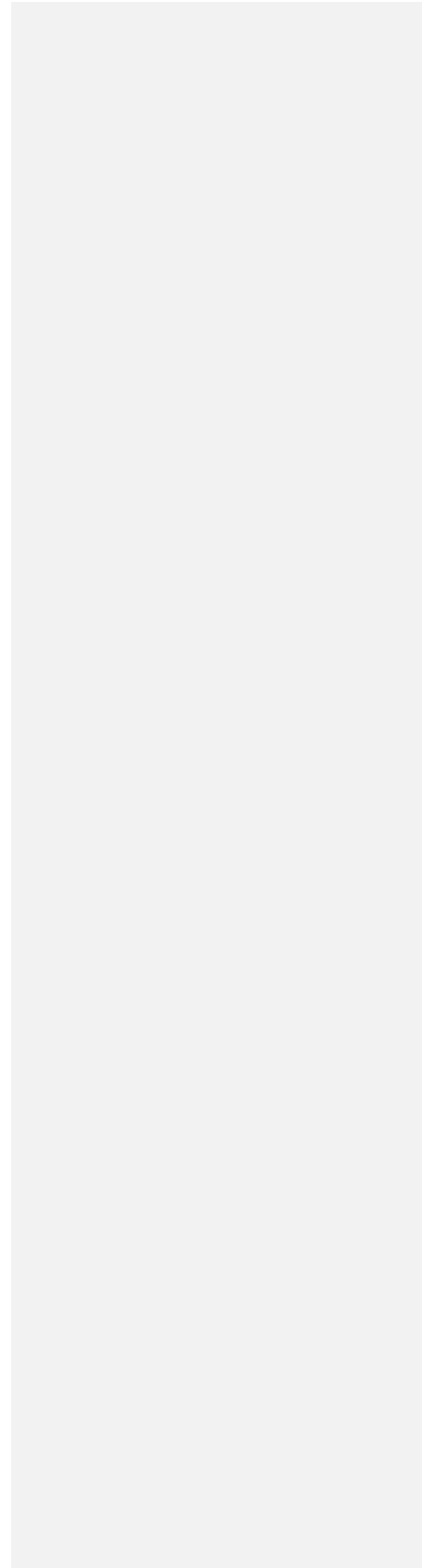
That part of Tract E, which lies Southerly of a line commencing on the Westerly line of said Tract E, 201 feet from the Northwest corner of said Tract E, 201 feet from the Northwest corner of said Tract E, as measured along the Westerly line of said Tract E; thence Easterly at right angles to said Westerly line to a point on the Easterly line of said Tract E and there terminating,

Registered Land Survey No. 642, Hennepin County,

Minnesota. PIN: 2802824410039

EXHIBIT B

Depiction of the Easement Area

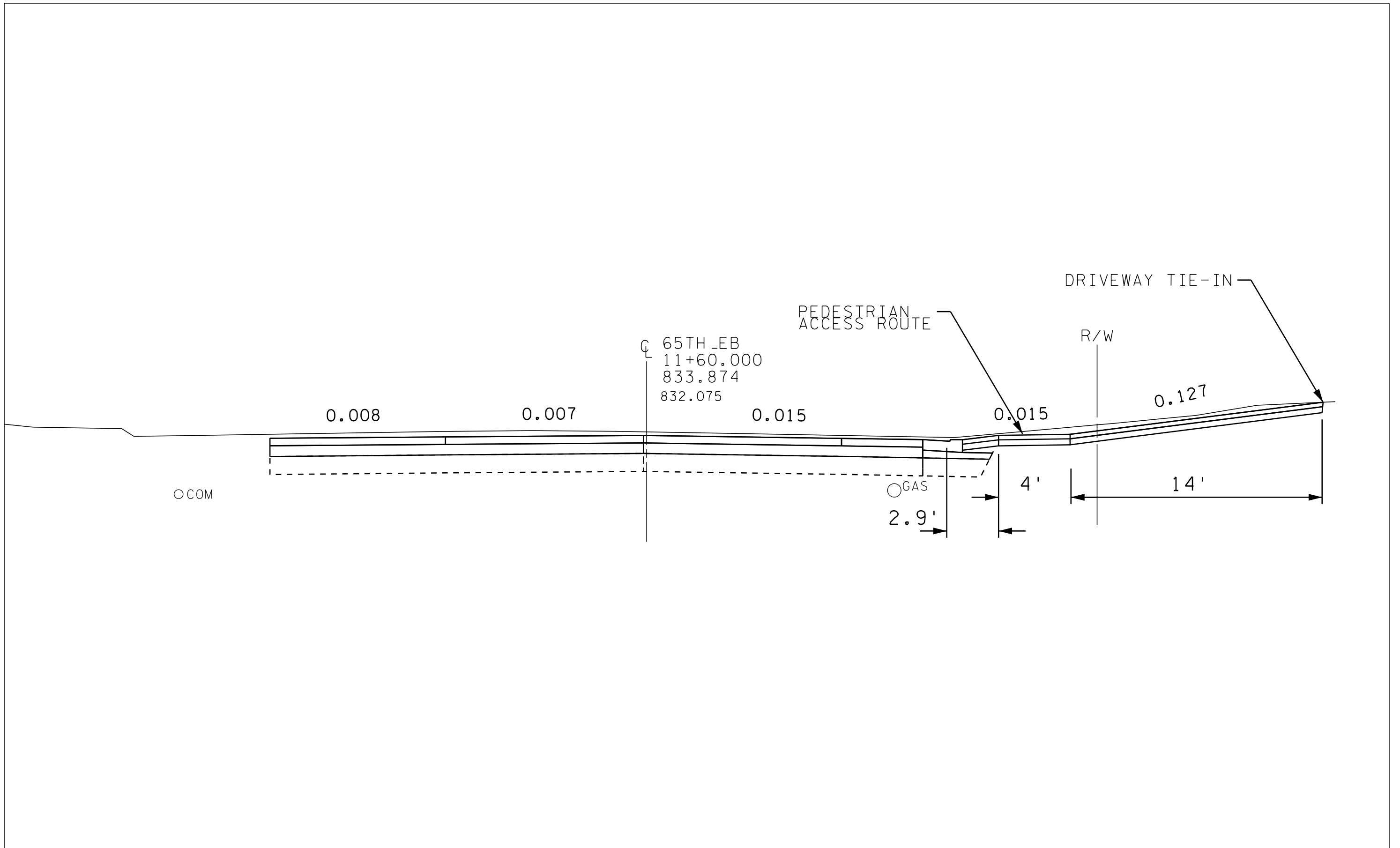


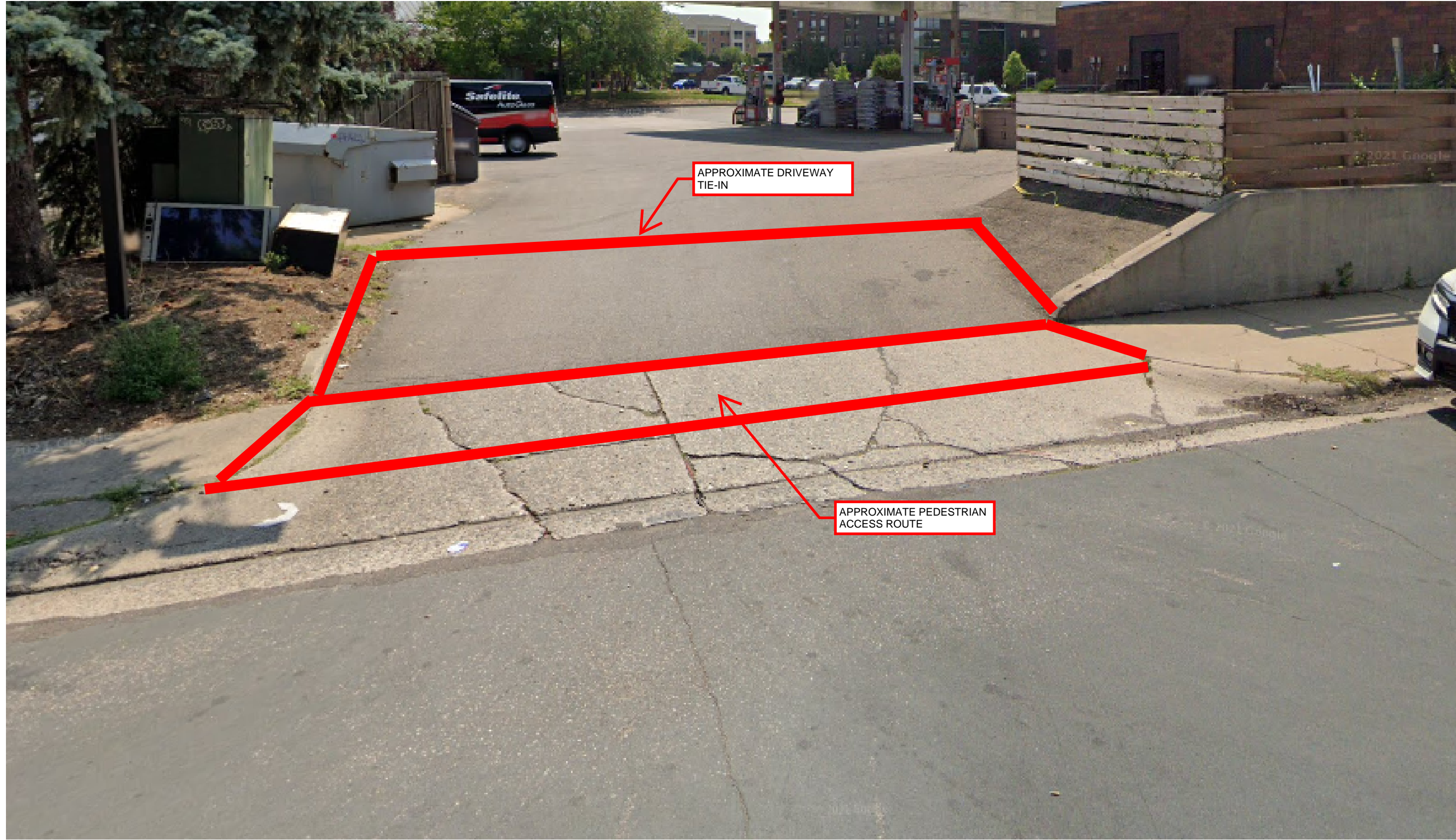
4/12/16 PM

10/22/2021

K:\TWC\Civil\City\Richfield\W 65th Street\CAD\Plan Sheets\Exhibits\160652011_speedway_plan.dgn







APPROXIMATE DRIVEWAY
TIE-IN

APPROXIMATE PEDESTRIAN
ACCESS ROUTE



STAFF REPORT NO. 99
CITY COUNCIL MEETING
6/28/2022

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police
6/22/2022

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
6/22/2022

ITEM FOR COUNCIL CONSIDERATION:

Public hearing and consider the approval of a new On Sale Intoxicating and Sunday Liquor licenses for MC Richfield, LLC dba Millions Crab located at 9 66th Street East.

EXECUTIVE SUMMARY:

On February 24, 2022, the City received the application materials for a new On Sale Intoxicating and Sunday Liquor licenses for MC Richfield, LLC dba Millions Crab located at 9 66th Street East.

All required information and documents have been received. All licensing fees have been paid.

The Public Safety background investigation has been completed. Attached is the background summary report. The Public Safety Director has reviewed the background investigation report. There is nothing in the report that would cause the Public Safety Director to recommend denial of the requested licenses.

RECOMMENDED ACTION:

Conduct and close the public hearing and by motion: Approve the issuance of new new On Sale Intoxicating and Sunday Liquor licenses for MC Richfield, LLC dba Millions Crab located at 9 66th Street East.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The applicant has satisfied the following requirements for issuance of licenses:
 - The required license fees have been paid.
 - Real estate taxes are current.
 - Proof of commercial and liquor liability insurance have been received showing Society Insurance as affording coverage.
- As a result of this being a new request for On Sale Intoxicating and Sunday Liquor licenses, there is no need for an accountant's statement regarding food/alcohol ratio.
- As stated in the Executive Summary, the Public Safety Director has reviewed the background information and sees no basis for denial.
- On Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to

comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owner of the establishment.

- There are no distance requirements to notify neighbors of the issuance of On Sale Intoxicating and Sunday Liquor licenses.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

Richfield City Code Section 1202 requires owners of On Sale Intoxicating and Sunday Liquor licensed establishments to comply with all the provisions of both City Code and State Statutes.

C. CRITICAL TIMING ISSUES:

There are no critical timing issues.

D. FINANCIAL IMPACT:

Licensing fees have been received.

E. LEGAL CONSIDERATION:

- The requirements of Resolution No. 9511 must be met which outlines the discipline they can expect if any on-going problems occur. A copy of this resolution has been given to the owner of the establishment.
- The Notice of Public Hearing was published in the Richfield Sun Current on June 09, 2022.

ALTERNATIVE RECOMMENDATION(S):

- The Council could deny the requested licenses, which would mean the current applicants would not be able to serve On Sale Intoxicating liquor; however, Public Safety has found no basis to deny the license.
- Schedule the hearing for another date; however, this will delay the licensing process.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Sheng Zheng - Owner

ATTACHMENTS:

Description	Type
□ Background Summary for Millions Crabs	Cover Memo

SUMMARY OF BACKGROUND INVESTIGATION FOR MC Richfield LLC dba Millions Crabs

Officers:

Sheng Zheng - Owner

Criminal Histories:

Criminal history checks were conducted on the applicant. Sheng Zheng in 2012 was convicted of having unlabeled chemical containers. Other charges in that case included equipment food contact surfaces and utensils shall be clean to sight and touch, cross contamination of food- raw animal foods not separated from each other and potentially hazardous food. The On-Premise Manager is Xianwu Yang who has no criminal convictions.

Premises:

The applicant has provided a copy of the rental agreement showing Richfield Shoppes, LLC as holding financial interest as lessor of the property.

Record of Service Calls:

Being this is a new business, there are no records of service calls.

Violations:

Being this is a new business, there are no violations for sale of alcohol to underage youth.

Routine Information:

On Sale Intoxicating and Sunday Liquor licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distance requirements to notify neighbors of the issuance or renewal of On Sale Intoxicating and Sunday Liquor licenses.

The notice of Public Hearing was published in the Richfield Sun Current on June 09, 2022.



STAFF REPORT NO. 100
CITY COUNCIL MEETING
6/28/2022

REPORT PREPARED BY: Kari Sinning, City Clerk

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW: Mary Tietjen, City Attorney

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
6/28/2022

ITEM FOR COUNCIL CONSIDERATION:

Consider the adoption of a resolution appointing election judges for the Primary Election of August 9, 2022.

EXECUTIVE SUMMARY:

The State Primary Election is on August 9, 2022. Election judges have been assigned to the precincts based on availability and party balance. There are 70 election judges of which are nearly an equal amount of Democratic and Republican election judges with a few that are non-affiliated and Legal Marijuana Now.

An absentee ballot board must also be established per Minnesota Statutes, Section 203B.121. The absentee ballot board, which includes Hennepin County Election Staff, will examine all received absentee ballot envelopes and accept or reject absentee ballots.

RECOMMENDED ACTION:

By motion: Adopt a resolution appointing election judges for the Primary Election of August 9, 2022.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

Minnesota Statute 204B.21 Subd. 2 provides that election judges for precincts in a municipality shall be appointed by the governing body of the municipality and that the appointments be made at least 25 days before the election at which the election judges will serve.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

The City Council is required by State Statute to make election judge appointments at least 25 days prior to the election. The proposed resolution contains names of those qualified individuals who have indicated a willingness and ability to serve as an election judge for the Primary Election of August 9, 2022.

C. CRITICAL TIMING ISSUES:

If the City Council does not appoint election judges, the conduct of the election would not be valid and absentee ballots cannot be accepted or rejected without the establishment of an absentee ballot board.

D. FINANCIAL IMPACT:

N/A

E. LEGAL CONSIDERATION:

The City Council must appoint election judges to serve at these elections to comply with Minnesota Statute 204B.21, Subd. 2.

The names come from a list of people who have indicated their interest in serving as an election judge to the County Auditor pursuant to the provisions of M.S. 204B.21 Subd. 1 and those who have previously served or indicated interest in serving.

ALTERNATIVE RECOMMENDATION(S):

The City Council may choose to appoint other individuals as election judges who are not named in the resolution.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
Election Judge Resolution	Resolution Letter

RESOLUTION NO.

**RESOLUTION APPOINTING ELECTION JUDGES FOR THE PRIMARY ELECTION
OF AUGUST 9, 2022**

WHEREAS, Minnesota Election Law 204B.21 requires that persons serving as election judges be appointed by the Council at least 25 days before the election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, that the individuals named on Exhibit A, and on file in the office of the City Clerk be appointed as the City of Richfield Primary Election Judges for the August 9, 2022, Primary Election; and

BE IT FURTHER RESOLVED, the Richfield City Council also establishes an Absentee Ballot Board as authorized under Minn. Stat. 203B.121 and authorize the City Clerk to oversee the appointment and procedural processes; and

BE IT FURTHER RESOLVED that the Richfield City Clerk is with this, authorized to make any substitutions or additions as deemed necessary.

Passed and adopted by the City Council of the City of Richfield, Minnesota this 28th day of June, 2022.

Maria Regan Gonzalez, Mayor

ATTEST:

Kari Sinning, City Clerk

Exhibit A

Primary Election Judges

Joyce Anderson
Michelle Ansorge
John Ashmead
Jim Atkins
Rosemary Bernau
Suzi Blumberg
Linda Boyd
Meredith Bruzek
Hazel Burnside
Amy Carlsted
Milissa Carter
Mary Clark
Ellen Cutter
Blue Delliquanti
Katrina DeVore
Katie Downs
Cynthia Dubansky
Dee Dee Edlund
Joanne Ehren Dahlquist
Mary Elliott
Taryn Ellis
Debbie Eng
Carolyn Engeldinger
Megan Forsmark
Dean Gade
Heather Gibbs
Judith Goebel
Jane Greene
Daniel Groepper
Mary Hayden
Linda Hinz
Dean Hoffman
Emilie Jensen
Sita Johnson
Janet Karnick
Carol Kellett
John Kelly
Mary Kelly
Nathan Knox
Emily Lodermeier
Phillip McWilliams
Robert Mulcahy
Sarah Musgrave
Cindy Norland
Brad Obert

Ruby Olson
Zachary Olson
Wayne Peterson
Joshua Policarpio
Holly Rhodes
Julie Roemen
Jeffrey Rundgren
Michael Sawyer
Maureen Scaglia
Julie Smith
Elaine Swanson
Roger Swanson
Kristin Swenson
Janet Thompson
Cara Thrane
Mark Tilc
John Twisk
Debora Ulseth
Jody Viehauser
Cynthia Wade Forsgren
Nancy Walstrom
Bob Wells
Karin Wolverton
Jeff Wright
Michael Zazzera

AGENDA SECTION:

CLOSED EXECUTIVE
SESSION

AGENDA ITEM #

10.



CITY COUNCIL MEETING

6/28/2022

REPORT PREPARED BY: Kelly Wynn, Administrative Assistant

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
6/22/2022

ITEM FOR COUNCIL CONSIDERATION:

Closed Executive Session regarding the City Manager's annual performance evaluation.

EXECUTIVE SUMMARY:

The Closed Executive Session will be convened as permitted to evaluate an employee's performance pursuant to Minn. Stat. 13D.05, subd. 3(a).

RECOMMENDED ACTION:

Motion to recess the meeting to enter and hold a closed meeting for the purpose of conducting a performance evaluation of City Manager Katie Rodriguez, pursuant to Minnesota Statutes section 13D.05, subd. 3(a).

BASIS OF RECOMMENDATION:

- A. **HISTORICAL CONTEXT**
- B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**
- C. **CRITICAL TIMING ISSUES:**
- D. **FINANCIAL IMPACT:**
- E. **LEGAL CONSIDERATION:**

ALTERNATIVE RECOMMENDATION(S):

PRINCIPAL PARTIES EXPECTED AT MEETING: