



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting

October 11, 2022

CALL TO ORDER

Mayor Regan Gonzalez called the meeting to order at 7:04 p.m. in the Council Chambers.

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

Council Members Absent: None

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Melissa Poehlman, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Jennifer Anderson, Support Services Manager; Kumud Verma, Finance Manager; Rachel Lindholm, Sustainability Specialist; Mike Lafond, Utility Billing Clerk; and Chris Swanson, Management Analyst

Others Present: Mara Glubka, Human Rights Commissioner; Tyler Olson, Human Rights Commissioner

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

There were no participants.

APPROVAL OF MINUTES

M/Supple, S/Whalen to approve the Minutes of the: (1) City Council Work Session of September 27, 2022; and (2) Regular City Council Meeting of September 27, 2022.

Motion carried: 5-0

ITEM #1	PROCLAMATION RECOGNIZING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH
----------------	--

Mayor Regan Gonzalez invited Human Rights Commissioner Olson to accept the proclamation and read aloud the proclamation.

ITEM #2	APPROVAL OF THE AGENDA
----------------	-------------------------------

M/Whalen, S/ Hayford Oleary to approve the agenda, adding item Number 7 under public hearings.

Motion carried: 5-0

ITEM #3	CONSENT CALENDAR
----------------	-------------------------

City Manager Rodriguez presented the consent calendar.

- A. Consider the approval of the first reading of an ordinance amending Section 925 of the Richfield City Code to include new language addressing what refuse is and the accumulation of it. (Staff Report No. 144)
- B. Consider a resolution authorizing staff to submit an application for a Hennepin Youth Sports Program Facility Grant to expand the Augsburg Park Skate Park and execute a grant agreement, if awarded. (Staff Report No. 145)

RESOLUTION NO. 12010

RESOLUTION AUTHORIZING STAFF TO SUBMIT AN APPLICATION FOR A HENNEPIN YOUTH SPORTS PROGRAM FACILITY GRANT TO EXPAND THE AUGSBURG SKATE PARK AND EXECUTE A GRANT AGREEMENT, IF AWARDED

- C. Consider the approval of the bid tabulation and award a contract to U.S. Sitework, Inc., for the Sheridan Pond Maintenance Project Phase 1 in the amount of \$223,450 and authorize the City Manager to approve contract changes up to \$175,000 without further City Council consideration. (Staff Report No. 146)
- D. Consider the renewal of the Public Health and Environmental Health Mutual Aid Agreement. (Staff Report No. 147)

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

Motion carried: 5-0

ITEM #4	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
----------------	--

None.

ITEM #5	PUBLIC HEARING AND CONSIDER A RESOLUTION ADOPTING THE PROPOSED ASSESSMENT FOR UNPAID GARBAGE COLLECTION SERVICES FROM PRIVATE PROPERTY WITHIN THE RESIDENTIAL ORGANIZED COLLECTION SYSTEM FROM OCTOBER 4, 2021 TO JULY 31, 2022. (STAFF REPORT NO. 148)
----------------	--

Council Member Whalen presented Staff Report 148 and opened the public hearing.

Steve Nelson, 6324 Blaisdell, said he is a 53 year resident of Richfield, he has never used trash containers and does not understand how the city can come in and charge him for a service he has not used.

Linda Muinch, 6428 16th Ave S., said she has returned the bills to Waste Management. She never heard of the people listed on the invoice and was not going to open their mail as this would be a crime. She said she historically would take the trash to her church, where she worked. She said she has always disposed of her trash this way. She mentioned she received the letter when the city was switching over to the citywide service.

Miguel Murcia, 7329 Penn, called into his hauler about the service at the start of the program. Was to that to not have the garbage service he would have to sell his house. He was also told he is not in the system. He said the cans were removed from the house after he asked that they be removed. He said he did send an application (opt-out) to the city and they removed the bins. He still had a charge from the original invoice.

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

Motion carried: 5-0

M/Whalen, S/Trautmann to approve a resolution adopting the proposed assessment for unpaid garbage collection services from private property within the residential organized collection system from October 4, 2021 to July 31, 2022.

RESOLUTION NO. 12011

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID GARBAGE COLLECTION SERVICE FROM OCTOBER 4, 2021 THROUGH JULY 31, 2022

Council Member Supple asked staff to go over the assessment process. Sustainability Specialist Lindholm went over the process and provided her contact info for residents who have questions about the trash program.

City Attorney Tietjen provided some additional info on the assessment process and timing. She specified if the assessment was removed due to an error by the hauler the city would reduce the future payment to the company.

Council Member Hayford Oleary asked about what would happen if a resident applied for a vacancy after an invoice went out. Specialist Lindholm said the resident would still need to pay the invoice and a credit would be issued for when the vacancy went into place.

Council Member Whalen went over the timeframe for when residents could pay their delinquent trash bills before the charge becomes an assessment.

Motion carried: 5-0

ITEM #6	PUBLIC HEARING AND CONSIDER RESOLUTIONS ADOPTING THE ANNUAL INTERSTATE/LYNDALE/NICOLLET (ILN) PROJECT AREA ASSESSMENT AND PROPOSED WORK FOR 2023. (STAFF REPORT NO. 149)
----------------	---

Council Member Hayford Oleary presented Staff Report 149 and opened the public hearing.

M/Hayford Oleary S/Trautmann to close the public hearing.

Motion carried: 5-0

M/Hayford Oleary, S/Whalen to adopt a resolution adopting the assessment on the ILN Project Area for costs incurred to maintain the area for 2021.

RESOLUTION NO. 12012

RESOLUTION ADOPTING ASSESSMENT ON INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA MAINTENANCE FOR THE PERIOD JANUARY 1, 2021 TO DECEMBER 31, 2021

Motion carried: 5-0

M/Hayford Oleary, S/Supple to adopt a resolution ordering the undertaking of the current service project within the ILN Project Area for 2023.

RESOLUTION NO. 12018

RESOLUTION ORDERING THE UNDERTAKING OF CURRENT SERVICE PROJECT WITHIN THE INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023

Motion carried: 5-0

ITEM #7	PUBLIC HEARING AND CONSIDER A RESOLUTION ADOPTING THE PROPOSED ASSESSMENTS OF DELINQUENT UTILITY ACCOUNTS, FALSE ALARM CHARGES, PUBLIC HEALTH OR SAFETY HAZARDS CHARGES, WEED ERADICATION CHARGES, AND VACANT PROPERTY REGISTRATION FEES TO BE CERTIFIED TO PROPERTY TAXES. (STAFF REPORT NO. 153)
----------------	---

Council Member Whalen presented Staff Report 153 and opened the public hearing.

Barbara Orzechowski, 7314 Oakland Ave, spoke about her water bill and stated she believes there was an error. Finance Manager Verma said she would have staff follow up with the resident.

M/Whalen; S/Hayford Oleary to close the public hearing.

Motion carried: 5-0

Council Member Whalen outlined the timeline for residents to pay their assessments before they are sent to the county.

M/Whalen, S/Hayford Oleary to resolution adopting the proposed assessments of delinquent utility accounts, false alarm charges, public health or safety hazards charges, weed eradication charges, and vacant property registration fees to be certified to property taxes.

RESOLUTION NO. 12013

RESOLUTION AUTHORIZING CERTIFICATION OF UNPAID WATER, SANITARY SEWER, STORM WATER, AND STREET LIGHT CHARGES, FALSE ALARM CHARGES, WEED ERADICATION CHARGES, PUBLIC HEALTH OR SAFETY HAZARD CHARGES, AND VACANT PROPERTY REGISTRATION FEES TO THE COUNTY AUDITOR TO BE COLLECTED WITH OTHER TAXES ON SAID PROPERTIES

Motion carried: 5-0

ITEM #8	CONSIDER THE SECOND READING OF AN ORDINANCE ADOPTING SECTION 625 OF THE CITY CODE PROHIBITING CONVERSION THERAPY FOR MINORS AND VULNERABLE ADULTS (STAFF REPORT NO. 150)
----------------	---

Council Member Trautmann presented Staff Report 150.

M/Trautmann, S/Whalen to approve the attached ordinance adopting Section 625 of the City Code Prohibiting Conversion Therapy for Minors and Vulnerable Adults; and approve a resolution authorizing summary publication of said ordinance.

BILL NO. 2022-15

ORDINANCE ADOPTING SECTION 635 IN RICHFIELD CITY CODE PERTAINING TO THE PROHIBITION OF CONVERSION THERAPY FOR MINORS AND VULNERABLE ADULTS

RESOLUTION NO. 12014

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE ADOPTING SECTION 635 IN RICHFIELD CITY CODE PERTAINING TO THE PROHIBITION OF CONVERSION THERAPY FOR MINORS AND VULNERABLE ADULTS

Council Member Hayford Oleary clarified this ordinance would not go into effect immediately, and this is some backup protection in case executive order issued by the Governor’s office is removed.

Council Member Whalen spoke generally on the matter and was glad to see Richfield put this protection in place as the legislature has failed to do so over the past years.

Council Member Supple fully supports the ordinance. She thanked the Human Rights Commission and everyone who was part of that process for all their work.

Mayor Regan Gonzalez specifically thanked Human Rights Commissioner Glubka for all her leadership.

Motion carried: 5-0

ITEM #9	CONSIDER THE APPROVAL OF THE FIRST READING OF AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A ONE-YEAR MORATORIUM ON THE SALE OF CANNABIS PRODUCTS (STAFF REPORT NO. 151)
----------------	--

Council Member Supple presented Staff Report 151.

Council Member Hayford Oleary stated he does not believe we should be moving forward with this and will vote "no" on the moratorium.

Council Member Whalen stated he had already sent a few questions to staff and was waiting to hear back before making his final decision. He had a question about where these cannabis products can currently be sold. He said he does recognize that this is an inadequate tool for addressing the sale but wanted to get more clarity about these regulations. He is specifically worried about cannabis products vending machines opening up in the city. He said his focus is on what will keep people safe.

Council Member Supple supports this moratorium as this gives staff time to focus on the licensing and ensures youth do not have access to these products. She recognizes that staff needs time to study this matter, as the legislature did not put enough guidelines in place when they approved this new legislation. She does believe the city will ultimately end with licensing the product in the future.

Mayor Regan Gonzalez thanked staff for all their work on this matter.

M/Supple, S/Whalen to approve the first reading of an interim ordinance authorizing a study and imposing a one year moratorium on cannabis products and schedule a second reading for October 25, 2022.

Motion carried: 4-1; Hayford Oleary

ITEM #10	CONSIDER RESOLUTIONS APPROVING A PRELIMINARY PLAT AND FINAL PLAT IN ORDER TO SUBDIVIDE ONE LOT INTO TWO, VACATION OF EXISTING DRAINAGE AND UTILITY EASEMENTS TO BE RE-DEDICATED WITH THE PROPOSED PLAT, AND AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT TO ACCOMMODATE MINOR MODIFICATIONS TRIGGERED BY THE PROPOSED NEW LOT LINE AT 600 - 64TH STREET WEST. (STAFF REPORT NO. 152)
-----------------	---

Council Member Hayford Oleary presented Staff Report 152.

Community Development Director Poehlman noted the applicant was available if there were any questions from the Council.

M/Hayford Oleary, S/Whalen to approve the resolution for both the preliminary plat and the final plat.

RESOLUTION NO. 12015

RESOLUTION GRANTING APPROVAL OF BOTH A PRELIMINARY AND FINAL PLAT FOR RICHLYN RILEY

Council Member Whalen went over the conversation at the planning commission and talked about how robust of the discussion there was during the meeting. He outlined how they applicant would not be able to sell or do anything else without additional approvals from the council and will not change anything about the existing property.

Council Member Trautmann asked if Council had to approve the application if all requirements were met. City Attorney Tietjen stated that is all requirements were met the Council should approve the application.

Motion carried: 5-0

M/Hayford Oleary, S/Whalen to approve the resolution amending the Planned Unit Development.

RESOLUTION NO. 12016

RESOLUTION APPROVING AN AMENDED PLANNED UNIT DEVELOPMENT AT 600 - 64TH STREET WEST

Motion carried: 5-0

M/Hayford Oleary, S/Whalen to approve the resolution vacating existing drainage and utility easements.

RESOLUTION NO. 12017

RESOLUTION AUTHORIZING THE VACATION OF DRAINAGE AND UTILITY EASEMENTS

Motion carried: 5-0

ITEM #11	CITY MANAGER'S REPORT
-----------------	------------------------------

City Manager Rodriguez had nothing to report.

ITEM #12	CLAIMS AND PAYROLL
-----------------	---------------------------

M/Supple, S/Whalen that the following claims and payrolls be approved:

<u>U.S. BANK</u>	<u>10/11/2022</u>
A/P Checks: 309759 – 310098	\$1,578,586.52
Payroll: 173574 – 173864	<u>\$738,645.91</u>
TOTAL	\$2,317,232.43

Motion carried: 5-0

ITEM #13	HATS OFF TO HOMETOWN HITS
-----------------	----------------------------------

Council Member Whalen wanted to encourage people to vote. He noted that night was 4 weeks from polls closing. He then went over the places and ways for residents to vote. Council

Member Whalen also gave a reminder that covid is not over and is still infecting causing infections in the community. He encouraged people to get the booster and to continue to practice restraint.

Council Member Supple noted the city is taking applications for their commissions. She directed residents to visit the city’s web page if they wanted more information on the process or to apply to be on a commission. Council Member Supple also spotlighted the Richfield fire-training program she and a few other council members took part in over the weekend. She said it was an eye opening and amazing experience.

Council Member Hayford Oleary seconded the experience with the fire training staff. He also mentioned the League of Women Voters Candidate Forum that would be taking place the coming Saturday in the Council Chambers.

Council Member Trautmann also wanted to thank the firefighters for the chance to participate in the training and for everything the fire staff does for the community. He talked about the increasing number of non-emergency calls the fire department has been seeing over the past few years. He also wanted to spotlight the MICC run that occurred a few weeks ago. Said it was a great experience.

Mayor Regan Gonzalez highlighted the opportunity for community members and their families to get flu and covid vaccines this coming Saturday at Partnership Academy.

Mayor Regan Gonzalez also spotlighted the great pumpkin giveaway. She talked about how the event, started by Richfield residents and some local small businesses, has been happening for 16 years. She was proud this was another great opportunity to build community and wanted to thank community members and leaders.

Mayor Regan Gonzalez discussed how she was able to show her support for Minnesota AG lawsuit against fleet farm for their sales of handguns to individuals. She talked about how these are the guns we’re seeing in used in crime in the state of MN and that we have to continue to look at many different ways to stop the violence.

Mayor Regan Gonzalez discussed her experience at the Richfield staff hot dog day. She felt it was a great opportunity for everyone to get together, have hot dogs and chips, and build community. She wanted to thanks staff for everything they do.

ITEM #14	ADJOURNMENT
-----------------	--------------------

The meeting was adjourned by unanimous consent at 8:10 p.m.

Date Approved: October 25, 2022



Chris Swanson
Management Analyst



Maria Regan Gonzalez
Mayor



Katie Rodriguez
City Manager