



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting

October 12, 2021

CALL TO ORDER

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

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

Council Members Absent: Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Kristin Asher, Public Works Director; Melissa Poehlman, Assistant Community Development Director; John Stark, Community Development Director; Kelly Wynn, Administrative Assistant; Chris Swanson, Management Analyst; and Kari Sinning, City Clerk

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

OPEN FORUM

Administrative Assistant Wynn reviewed the options to participate and stated there were no callers.

APPROVAL OF MINUTES

M/Whalen, S/Supple to approve the minutes of the: (1) City Council Work Session of September 28, 2021; and (2) City Council Meeting of September 28, 2021.

Motion carried 4-0.

Item #1	APPROVAL OF THE AGENDA
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M/Hayford Oleary, S/Supple to approve the agenda.

Motion carried 4-0.

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

- A. Consider the approval of a resolution for reimbursement of certain expenditures from the proceeds of street reconstruction bonds to be issued by the City for the 65th Street Reconstruction Project. (Staff Report No. 151)

RESOLUTION NO. 11888

RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF RICHFIELD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY WITH RESPECT TO THE 65TH STREET RECONSTRUCTION PROJECT

- B. Consider the approval of a resolution requesting a MnDOT State Aid Design Element Variance for the 65th Street Reconstruction Project. (Staff Report No. 152)

RESOLUTION NO. 11889

RESOLUTION REQUESTING A VARIANCE FROM STANDARD FOR STATE AID OPERATION FOR THE 65TH STREET RECONSTRUCTION PROJECT/S.A.P 157-104-005

- C. Consider a Resolution Approving an Amphitheater Agreement with Benefactor Brewing LLC. (Staff Report No. 153)

RESOLUTION NO. 11890

RESOLUTION APPROVING AMPHITHEATER AGREEMENT WITH BENEFACOR BREWING LLC

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

Motion carried 4-0.

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

Item #4	PUBLIC HEARING AND CONSIDER THE ADOPTION OF A RESOLUTION APPROVING THE FIVE-YEAR STREET RECONSTRUCTION PLAN (2022-2026) AND AUTHORIZE THE ISSUANCE OF STREET RECONSTRUCTION BONDS TO FINANCE THE 2022-2023 65TH STREET RECONSTRUCTION PROJECT. (STAFF REPORT NO. 154)
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Council Member Supple read staff report 154.

City Engineer Powers presented the five-year reconstruction plan.

Council Member Hayford Oleary asked a clarifying question of which year construction would take place on Lyndale and questioned the generalization of the project titles which City Engineer Powers stated that specific details would be given closer to actual construction. Public Works Director Asher added that Lyndale should be part of project one.

Council Member Whalen reiterated to the public that the whole community benefits from these construction projects and that is why it is added to property taxes instead of special assessments.

Council Member Supple opened the public hearing.

Administrative Assistant Wynn reviewed the options to participate and stated there were no callers.

There were no speakers at the public hearing.

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

Motion carried 4-0.

M/Supple, S/Hayford Oleary to adopt the resolution approving the Five- Year Street Reconstruction Plan and authorizing the issuance of street reconstruction bonds to finance the 2022-2023 65th Street Reconstruction Project.

RESOLUTION NO. 11891

RESOLUTION ADOPTING A STREET RECONSTRUCTION PLAN AND PROVIDING PRELIMINARY APPROVAL FOR THE ISSUANCE OF STREET RECONSTRUCTION BONDS THEREUNDER

Motion carried 4-0.

Item #5	PUBLIC HEARING AND CONSIDER A RESOLUTION ADOPTING THE ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED FROM JANUARY 1, 2020, THROUGH DECEMBER 31, 2020. (STAFF REPORT NO. 155)
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Council Member Supple read staff report 155

City Attorney Tietjen explained the process of the certification of assessments.

Council Member Supple opened the public hearing.

Bret Smith, 6625 3rd Ave S, spoke about the removal of the tree on his property and asked for clarification of payment and thanked city staff for their help in removing the diseased tree.

Public Works Director Asher stated that there is a typo in the resolution and City Attorney Tietjen recommended the adoption of the corrected resolution.

M/Supple, S/Whalen to close the public hearing.

Motion carried 5-0.

M/Supple, S/Hayford Oleary to approve the resolution with correction adopting the assessment for removal of diseased trees from private property for work ordered from January 1, 2020, through December 31, 2020.

RESOLUTION NO. 11892

RESOLUTION ADOPTING ASSESSMENT FOR THE REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED DURING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

Council Member Hayford Oleary clarified that this is for trees on private property not on boulevards.

Motion carried 4-0.

Item #6	PUBLIC HEARING AND CONSIDER RESOLUTIONS ADOPTING THE ANNUAL INTERSTATE/LYNDALE/NICOLLET (ILN) PROJECT AREA ASSESSMENT AND PROPOSED WORK FOR 2022. (STAFF REPORT NO. 156)
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Council Member Hayford Oleary read staff report 156 and opened the public hearing.

Administrative Assistant Wynn stated there were no callers.

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

Motion carried 4-0.

M/Hayford Oleary, S/Whalen to (1) adopt a resolution adopting the assessment on the ILN Project Area for costs incurred to maintain the area for 2020; and

RESOLUTION NO. 11893

RESOLUTION ADOPTING ASSESSMENT ON INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA MAINTENANCE FOR THE PERIOD JANUARY 1, 2020 TO DECEMBER 31, 2020

M/Hayford Oleary, S/Supple to (2) adopt a resolution ordering the undertaking of the current service project within the ILN Project Area for 2022.

RESOLUTION NO. 11894

RESOLUTION ORDERING THE UNDERTAKING OF CURRENT SERVICE PROJECT WITHIN THE INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2022 TO DECEMBER 31, 2022

Council Member Supple thanked staff for their work in this area.

Motion carried 4-0.

Item #7	PUBLIC HEARING REGARDING THE ASSESSMENT OF DELINQUENT UTILITY ACCOUNTS, FALSE ALARMS, WEED ERADICATION CHARGES AND VACANT PROPERTY REGISTRATION FEES TO BE CERTIFIED TO PROPERTY TAXES. (STAFF REPORT NO. 157)
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Council Member Whalen read staff report 157 and opened the public hearing.

Council Member Supple asked for examples of Public Health or Safety Hazards of which City Manager Rodriguez would have to do some research on.

Administrative Assistant Wynn stated there were no callers.

M/Whalen, S/Supple to close the public hearing.

Motion carried 4-0.

M/Whalen, S/Hayford Oleary to approve the attached resolution authorizing certification of unpaid water, sanitary sewer, storm water, and street light charges, false alarm fees, weed eradication charges and vacant property registration fees to the county auditor to be collected with other taxes on said properties.

RESOLUTION NO. 11895

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

Motion carried 4-0.

Item #8	CONSIDER APPROVAL OF A RESOLUTION ACCEPTING THE PORTLAND GATEWAY REPORT AND DIRECTING STAFF TO CONSIDER ITS RECOMMENDATIONS WHEN EVALUATING PROPOSALS AND POLICIES IN THE STUDY AREA (STAFF REPORT NO. 158)
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Council Member Hayford Oleary presented staff report 158.

Assistant Community Development Director Poehlman gave detail regarding the study to gather ideas and feedback and clarified the next steps.

Council Member Hayford Oleary extended to the other council members that these ideas are useful to the 494 Project update that is coming up in a later work session and how we can use these ideas to advocate for the city.

M/Hayford Oleary, S/Supple to approve the attached resolution accepting the Portland Gateway Report and directing staff to consider its recommendations when considering code amendments, policy and programming, and land use applications in the Portland Gateway area.

RESOLUTION NO. 11896

RESOLUTION ACCEPTING THE PORTLAND GATEWAY REPORT AND DIRECTING STAFF TO CONSIDER ITS POLICY RECOMMENDATIONS FOR THE PORTLAND GATEWAY AREA

Council Member Whalen appreciated the public input that was gathered in this report but was concerned about the use of the areas in the report and asked for clarification of the report being used by staff.

Assistant Community Development Director Poehlman clarified that by accepting this report it is not agreeing to implement the policies in the plan.

Mayor Regan Gonzalez echoed the comments of Council Member Hayford Oleary and Council Member Whalen and that the council is pushing hard to make sure this project does the best for the residents.

Motion carried 4-0.

Item #9	CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT FOR 817 66TH STREET EAST TO ALLOW A CLASS I RESTAURANT (STAFF REPORT NO. 159)
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Council Member Whalen presented staff report 159.

Assistant Community Development Director Poehlman reminded council the process of relating to a CUP.

M/Whalen, S/Hayford Oleary to approve the attached resolution granting a Conditional Use Permit for 817 66th Street East to allow a Class I restaurant.

RESOLUTION NO. 11897

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A RESTAURANT AT 817 66TH STREET EAST

Council Member Supple understood that this meets the requirements and urged the new restaurant to keep the neighborhood in mind.

Council Member Hayford Oleary questioned parking and Assistant Community Development Director Poehlman stated that the city would be looking for issues that would create public safety concerns or continual overflow. Council Member Hayford Oleary wished that the city did not have these parking requirements as it does not benefit business owners coming to Richfield and also acknowledged that from a land use perspective that this is a good project and meets the requirements.

Council Member Whalen stated this decision is regarding whether or not this new use fits the area based on the zoning code of which it does. He stated some resident concerns and explained why it is a good use of the location for the restaurant due to the proximity to amenities of the city.

Mayor Regan Gonzalez reiterated the CUP conditions and addressed issues that residents had and Assistant Community Development Director Poehlman clarified those concerns. Mayor Regan Gonzalez also compared Local Roots and the proposed restaurant and shared that both meet the conditional use permit conditions. With a heavy heart, Mayor Regan Gonzalez voted in support of the conditions and shared that Local Roots is one of a kind in Richfield.

Council Member Supple thanked Local Roots for their contribution to the community and hoped that Local Roots can remain in the city.

Council Member Hayford Oleary clarified that people are still not allowed to park illegally and if there are parking issues to bring them up to the city and to call the authorities. Council Member Hayford Oleary also acknowledged the loss of Local Roots and is excited for this new project.

Council Member Whalen appreciated staff's concern of public safety and urged neighbors to reach out to him as ward three council member.

Motion carried 4-0.

Item #10	CITY MANAGER'S REPORT
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City Manager Rodriguez gave a covid and organized collection update.

Council Member Supple thanked staff for their help on organized collection.

Council Member Hayford Oleary asked for clarification on whom to contact for incorrect cart issues. City Manager Rodriguez stated to try to contact the hauler first and if they do not respond to contact the city.

Council Member Whalen asked for a clarification of what residents should do if they want a different size cart or to sign up for organics collection and also thanked staff for their work. Management Analyst Swanson explained the process with each hauler. Council Member Whalen also encouraged resident vaccination.

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

U.S. Bank	10/12/2021
A/P Checks: 300547 - 300930	\$ 939,066.12
Payroll: 165293 - 165598	731,449.69
TOTAL	\$ 1,670,515.81

Motion carried 4-0

Item #12	HATS OFF TO HOMETOWN HITS
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Council Member Whalen applauded the turnout of the Woodlake 50th anniversary celebration and shared a reminder to vote for School Board Election.

Council Member Supple noticed a reduction in traffic with organized hauling, encouraged artists to share their projects in the display cases in the city, and shared events at the Bandshell.

Council Member Hayford Oleary thanked staff for the organized hauling and mentioned construction along Portland Ave.

Mayor Regan Gonzalez gave accolades to Rachel Lindholm for her contribution to organized hauling along with the additional staff that contributed to the success of the organized hauling and also shared Halloween events in the city.

Item #11	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:29 p.m.

Date Approved: October 26, 2021

Maria Regan Gonzalez
Mayor

Kari Sinning
City Clerk

Katie Rodriguez
City Manager