



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting

November 14, 2023

CALL TO ORDER

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

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

Council Members Absent: Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Melissa Poehlman, Community Development Director; Karl Huemiller, Acting Recreation Services Director; Jennifer Anderson, Support Services Manager; Matt Hardegger, Transportation Engineer; Mike Dobesh, Fire Chief; Joe Powers, City Engineer; Chris Swanson, Management Analyst; and Dustin Leslie, City Clerk

Others Present: Civil Service Commission President Jeffrey Bruzek; Transportation Commission Chair Husniyah Bradley; Community Services Commission Chair Tessa Johanson.

PLEDGE OF ALLEGIANCE

Mayor Supple led the Pledge of Allegiance.

ITEM #1	APPROVAL OF THE AGENDA
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Mayor Supple recognized the 18th Annual Great Pumpkin Giveaway Coloring Contest Winners including Madeline Guzman Cruz and Audrey Holman. She thanked the whole team who sponsored the event.

OPEN FORUM

Mayor Supple reviewed the options to participate:

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

Rodney Sather, 63rd and Thomas, expressed concern about the City’s unregulated short-term rentals and people running “unregulated hotels,” which changed the character of the neighborhood. He believed it was time for the City to establish rules and regulations for short-term rentals.

Meghan Webster indicated she strongly supported the Aster Commons housing development. She believed the development would greatly benefit the city. She acknowledged some neighbors had concerns about the impact of the development and wanted residents to approach concerns with an open mind and base their judgments on facts rather than misconceptions or fear.

Kathleen Balaban, 65th and Stevens, requested Council remove the Whitecaps Agreement from the consensus calendar and decline the offer to buy out the remainder of their five-year term. She asked staff to recalculate whether this was an adequate offer as her calculations came up with the City losing money. She also stated she did not want the Council to be giving away their authority to change City Code to staff members. She indicated staff members could recommend changes, but the Council should be the only ones with the authority to change the City Code.

Scott Dahlquist noted over the years he has seen the value of his home greatly increase, which was good for him, but he did not believe the City did a good job of providing housing for low-income individuals. He urged the Council to support Aster Commons development as they provided a much-needed service and were assets to their communities.

APPROVAL OF MINUTES

M/Whalen, S/Hayford Oleary to approve the minutes of the: (1) City Council Work Session of October 24, 2023; (2) Regular City Council Meeting of October 24, 2023; and (3) Special City Council Meeting of November 1, 2023.

Mayor Supple noted she was absent for the Special City Council Meeting of November 1, 2023 and requested that change be made to the Minutes.

Motion carried: 5-0

ITEM #2	APPROVAL OF THE AGENDA
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M/Hayford Oleary, S/Whalen to approve the agenda.

Motion carried: 5-0

ITEM #3	PROCLAMATION CELEBRATING NATIVE AMERICAN HERITAGE MONTH
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Mayor Supple invited Tyler Olson to accept the proclamation and read aloud the proclamation.

ITEM #4	PROCLAMATION CELEBRATING SMALL BUSINESS SATURDAY
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Mayor Supple invited Kelsey Nagel to accept the proclamation and read aloud the proclamation.

ITEM #5	
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	CIVIL SERVICE COMMISSION ANNUAL PRESENTATION GIVEN BY PRESIDENT JEFFREY BRUZEK
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Civil Service Commissioner President Jeffrey Bruzek gave the annual Civil Service Commission presentation.

ITEM #6	TRANSPORTATION COMMISSION ANNUAL PRESENTATION GIVEN BY CHAIR HUSNIYAH BRADLEY
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Transportation Commission Chair Husniyah Bradley gave the annual Transportation Commission presentation.

Council Member Hayford Oleary expressed his gratitude for the Commission as their liaison and for their willingness to meet with the public outside of the normal time.

Mayor Supple thanked the Commission for going above and beyond.

ITEM #7	COMMUNITY SERVICES COMMISSION ANNUAL PRESENTATION GIVEN BY CHAIR TESSA JOHANSON
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Community Services Commission Chair Tessa Johanson gave the annual Community Services Commission presentation.

Council Member Whalen indicated as the Council liaison he appreciated the hard work the Commission has done, and he looked forward to working with them to help spread the word and educate people about the options they have ahead of them.

ITEM #8	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar.

- A. Consider approval of the final reading of an ordinance rezoning property at 6613-6625 Portland Avenue South to MU-N "Mixed Use Neighborhood" and schedule a second reading for November 28, 2023 (Staff Report No. 144)
- B. Consider the approval of first reading of an ordinance amendment to Section 408.01, subdivision 6, clarifying that escrows submitted under the Point-of-Sale program can be subject to forfeiture if improvements are not made, and to Section 408.01, subdivision 4, correcting a code reference relating to the appeals process (Staff Report No. 145)
- C. Consider a resolution designating buildings formally located at 7700 and 7730 Portland Avenue South as structurally substandard within the Richfield Redevelopment Project Area (Staff Report No. 146)

RESOLUTION NO. 12140

RESOLUTION DESIGNATING BUILDINGS FORMALLY LOCATED AT 7700 AND 7730 PORTLAND AVENUE

**SOUTH AS STRUCTURALLY SUBSTANDARD WITHIN
THE RICHFIELD REDEVELOPMENT PROJECT AREA**

- D. Consider the approval of the mutual termination rental agreement between the City of Richfield and the MN Whitecaps Professional Women's hockey team (Staff Report No. 147)
- E. Consider the approval of a contract with Grayont (WI), LLC for the purchase of 1,400 tons of quick lime for water treatment in the amount of \$302,120.00 (Staff Report No. 148)
- F. Consider adoption of resolutions of support for Richfield's applications for federal capital construction funding for five projects through the Metropolitan Council's Regional Solicitation. (Staff Report No. 149)

RESOLUTION NO. 12141 - 12145

**RESOLUTIONS OF SUPPORT FOR RICHFIELD'S APPLICATIONS FOR
FEDERAL CAPITAL CONSTRUCTION FUNDING FOR FIVE PROJECTS THROUGH
THE METROPOLITAN COUNCIL'S REGIONAL SOLICITATION**

- G. Consider authorizing the City Manager to sell Richfield Fire Ladder Truck Unit #3789 to the City of Grand Marais Fire Department for \$65,000 (Staff Report No. 150)
- H. Consider rescinding acceptance of the Midwest Playscapes proposals for the replacement of play equipment at Donaldson Park and the replacement of play equipment at Fairwood Park, reject all proposals, and authorize the Interim Recreation Services Director to issue new requests for proposals (Staff Report No. 151)

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

Mayor Supple stated she had looked into the questions regarding the Whitecaps agreement (Item D) and after doing due diligence it was her belief that this was a fiscally prudent and fair agreement. She did not believe this would do harm to the City and might benefit the City. She thanked staff for all of their work they put into this and residents who had made comments. She stated she had listened to the comments and did hear what was said.

Council Member Hayford Oleary noted he had also received concerns about the Whitecaps agreement. He stated it was his understanding the differences between not approving this and approving this was that they could immediately lease the ice to a new group as opposed to the current agreement where they had exclusive rights under the contract and if nothing was done, there would be an empty ice arena until the contract was over.

City Manager Rodriques stated the city wanted to continue to host the Minnesota Whitecaps, but they were no longer a team as they had merged into one league and the hockey arena was too small now and the team would be playing at the Excel Center. She explained why the staff recommended this. She noted ice time was in demand and the city would be able to rent it while still getting 2 years' worth of lease payments.

Council Member Whalen thanked everyone who came to the meeting for the proposal at 66 and Portland. He expressed excitement for that project. He thanked the staff who worked on this.

Motion carried: 4-0

ITEM #9	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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None.

ITEM #10	CONSIDER APPROVAL OF A FIRST READING OF AN ORDINANCE AMENDING SECTION 1305 OF THE RICHFIELD CITY CODE, AUTHORIZING THE CITY ENGINEER TO SET SPEED LIMITS ON MUNICIPAL ROADWAYS (STAFF REPORT NO. 152)
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Council Member Whalen presented Staff Report 152.

M/Whalen, S/Hayford Oleary to approve the First Reading of an Ordinance Amending Section 1305 of the Richfield City Code, authorizing the City Engineer to set speed limits on municipal roadways and set the second reading for December 12, 2023.

Council Member Hayford Oleary requested the City Manager address the comment at the beginning of the Open Forum as to why this defers to the City Engineer. City Manager Rodriques explained the State had changed the Statute that now allowed the City Engineer to set the speed limits on local roads.

Council Member Hayford Oleary asked if other cities had similar language around speed limits. City Manager Rodriques responded they did.

Council Member Hayford Oleary noted this was not the only tool available to the city and there was another option such as using the urban speed limit designation. He shared his perspective on 76th Street and 77th Street indicating it was a serious equity issue to allow only the west end where there were single-family homes, wealthier neighborhoods, and wider neighborhoods to continue to maintain the 30-mph speed limit but have the lower income part of the City with similar speed characteristics go to 35 mph. He believed this was a fairness issue and it did not represent the City’s equity values. He noted ten percent of the city lived along 77th Street and a lot of people would be affected by this decision.

Council Member Hayford Oleary emphasized this was generally an equity issue for them to consider 30 mph on that road would be very consistent with the rest of the corridor and what other cities have done. He indicated no city that he could find had a 35-mph zone in front of apartments like this and he did not want Richfield to be the lead in this. He wanted the speed limit to be 30 mph.

Council Member Hayford Oleary supported the action and asked residents to let him know their thoughts on this.

Council Member Whalen noted at the work session he did not have a strong opinion on this, but he understood Council Member Hayford Oleary’s points and thanked him for bringing this up. He noted they had discussed working with the County to lower the speed limit on County roads also, and he agreed if the County should reduce their streets to 30 mph and if people wanted to drive faster, they should go on a nearby freeway. He noted the difference between five miles per hour faster was not going to significantly change how people would get places, but it would significantly impact safety. He thanked everyone who had worked on this.

Council Member Christensen echoed the other Council Members’ opinions and research. She noted there needed to be consistency on the roads they drive on every day.

Mayor Supple believed this was a good decision because it would make the speed limit consistent throughout the city. She noted slowing down to 25 mph on many of the streets was very helpful and they would need to go through the process with the County with respect to the County roads. She indicated she supported the proposal. She indicated if this was approved, the city was going to have to do a lot of public relations to make sure people knew what the speed limit was going to be. She stated she wanted to make sure they were not setting this up to have a safety hazard with speed differentials. She requested staff investigate what that impact would be. She expressed concern about crashes with one person speeding and one person going slow and the conflict points that sets up.

Mayor Supple indicated they also had to educate people about slowing down and she did not want to have enforcement problems. She wanted to ensure enforcement was equitable and fair across the city and that they had not set up an area that was going to essentially be a speed trap.

Mayor Supple stated she wanted them to really investigate the unintended consequences of this and if they would be creating an enforcement nightmare.

Council Member Whalen requested for the final reading staff have a map on the screen for people who were watching the recording could see it.

Council Member Hayford Oleary asked with respect to speed differentials concerns, they have a unique case in the city that has three different speed limits in the same corridor. He asked what crashes were associated with those speed differentials and asked staff for comparisons of the existing 30 mph one to the existing higher speed zones.

Motion carried: 4-0

ITEM #11	CONSIDER THE APPOINTMENT OF A YOUTH MEMBER TO THE HUMAN RIGHTS COMMISSION. (STAFF REPORT NO. 153)
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Council Member Christensen presented Staff Report 153.

M/Christensen, S/Whalen to approve the appointment of Beatrice Hernandez Guerrero to the Human Rights Commission as a Youth Commissioner.

Motion carried: 4-0

ITEM #12	CITY MANAGER'S REPORT
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City Manager Rodriguez stated she had no report.

Council Member Hayford Oleary requested the City Manager report back at the next meeting regarding the comment made at Open Forum regarding short-term rentals. City Manager Rodriguez noted short-term rentals did need a license and staff is currently doing research around this item. She requested the residents if they believe there were short-term rentals in their neighborhood to inform the city of that as staff was keeping an inventory.

Mayor Supple noted for Bed and Breakfasts were different situation than short-term rentals and staff should do more education around this matter.

ITEM #13	
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	CLAIMS AND PAYROLL
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M/Whalen, S/Hayford Oleary that the following claims and payrolls be approved:

<u>U.S. BANK</u>	<u>11/10/2023</u>
A/P Checks: 324776 - 325193	\$3,049,534.61
Payroll: 182995 – 183299; 43667 - 43676	<u>\$1,571,153.85</u>
TOTAL	\$4,620,688.46

Motion carried: 4-0

ITEM #14	HATS OFF TO HOMETOWN HITS
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City Clerk Leslie gave hats off to everyone who assisted in making the School Board election a success. Mayor Supple thanked City Clerk Leslie for leading the effort and his work on this.

Council Member Hayford Oleary gave hats off to the voters who showed up for the recent election.

Council Member Christensen noted that Small Business Saturday was coming up after Thanksgiving. She recommended breakfast at Flynn’s on 66th. She mentioned the annual Richfield Fall Boutique was this Saturday at the Community Center on 78th and Nicollet.

Council Member Whalen wished everyone a Happy Thanksgiving.

Mayor Supple echoed the thanks given to the voters for turning out to vote. She thanked everyone who worked and participated in the annual Friends of Woodlake dinner and fundraiser. She gave a shout out to the volunteers who have been helping remove buckthorn and create soft landings at Veterans Park. She thanked STEM for honoring family members who were veterans and recommended residents watch STEM’s YouTube channel. She thanked everyone who applied and participated in the Commission interviews. She noted the City was still accepting applications for the HRA and EDA.

ITEM #15	ADJOURNMENT
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M/Hayford Oleary, S/Christensen to adjourn the meeting at 8:15 p.m.

Motion carried: 4-0

Date Approved: November 28, 2023



Dustin Leslie
City Clerk



Mary Supple
Mayor



Katie Rodriguez
City Manager