



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting Virtual Meeting held via WebEx

October 13, 2020

CALL TO ORDER

The meeting was called to order by Mayor Maria Regan Gonzalez at 7:03 p.m. via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Ben Whalen; and Edwina Garcia

Council Members Absent: Mary Supple; and Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; John Stark, Community Development Director; Melissa Poehlman, Assistant Community Development Director; Chris Regis, Finance Director; Amy Markle, Recreation Services Director; Rachel Lindholm, Sustainability Specialist; Kristin Asher, Public Works Director; Jay Henthorne, Public Safety Director; Skov, IT Manager; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Senior Office Assistant

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

OPEN FORUM

Ruane Onesirosan, 2421 West 65th Street, asked for clarification on (1) when the Council passes tax dollars to VEAP or RTPB if the city then relinquishes responsibility of accounting and having those dollars audited; (2) about getting feedback from her last open forum comments on September 22; and (3) why the September Planning Commission meeting was not on the replay schedule on Channel 16 for public viewing.

Senior Office Assistant Wynn reviewed the options to participate:

- Participate live by calling 612-861-0651 during the open forum portion
- Call prior to meeting 612-861-9711

- Email prior to meeting kwynn@richfielmn.gov

APPROVAL OF MINUTES

M/Whalen, S/Garcia to approve the minutes of the (1) City Council Work Session of Septmeber 22, 2020; and (2) City Council Meeting of September 22, 2020.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Garcia: AYE
 Whalen: AYE

Motion carried 3-0

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

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Garcia: AYE
 Whalen: AYE

Motion carried 3-0

Item #2	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar with an edit on the amount stated for Resolution No. 11772. The agenda posted to the public on Friday, October 9, stated an incorrect amount and has been updated to the correct amount of \$96,852.49.

- A. Motion to pass a resolution regarding Hennepin County SCORE 2021 Contract Amendment. Staff Report No. 117

RESOLUTION NO. 11771

RESOLUTION Approving the 2021 AMENDMENT TO THE SCORE AGREEMENT BETWEEN HENNEPIN COUNTY AND THE CITY OF RICHFIELD

- B. Consider the approval of Minnesota Department of Transportation (MnDOT) lease agreement No. 27710 Amendment #6 for continued use of excess land along I-494 next to the Best Buy Campus for a Metro Transit Park and Ride parking lot and transit station. Staff Report No. 118
- C. Consider the adoption of a resolution authorizing acceptance of Office of Traffic Safety (OTS) funds for an extension on an original four-year grant to fully fund an officer dedicated for DWI enforcement in Richfield. Staff Report No. 119

RESOLUTION NO. 11772

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY/POLICE TO ACCEPT GRANT MONIES FROM THE OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$96,852.49 OR A LESSER AMOUNT, AS AWARDED BY THE DEPARTMENT OF PUBLIC SAFETY, TO FUND A POLICE OFFICER DEDICATED TO DWI ENFORCEMENT

- D. Consider the approval of Amendment #1 to the Construction and Maintenance Agreement with Chamberlain Apartments, LLC that modifies indemnification provisions in the agreement for the apartments constructed at 6630, 6700, and 6701 Richfield Parkway. Staff Report No. 120
- E. Consider the adoption of a resolution authorizing Amendment #2 to the partnership agreement between the City of Richfield and the Minnesota Department of Transportation (MnDOT) for the purchase/storage of salt through June 30, 2022. Staff Report No. 121

RESOLUTION NO. 11773

RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO ENTER INTO AMENDMENT #2 TO MNDOT PARTNERSHIP AGREEMENT NO. 1030429 WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE/STORAGE OF SALT UNTIL JUNE 30, 2022

- F. Consider a resolution approving a License Agreement with Spohn's Automotive Inc. for the parking lot at Cedar Avenue and Diagonal Boulevard and authorize the City Manager and Mayor to execute any renewals to the License Agreement after October 13, 2020. Staff Report No. 122

RESOLUTION NO. 11774

RESOLUTION APPROVING A LICENSE AGREEMENT WITH SPOHN'S AUTOMOTIVE, INC.

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

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

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

Mayor Regan Gonzalez reviewed the grouping of public hearings but each motion passed will be made individually.

Item #4	PUBLIC HEARING AND CONSIDER A RESOLUTION ADOPTING THE ANNUAL LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE DISTRICT ASSESSMENT. STAFF REPORT NO. 125
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Item #5	PUBLIC HEARING AND CONSIDER RESOLUTIONS ADOPTING THE ANNUAL INTERSTATE/LYNDALE/NICOLLET (ILN) PROJECT AREA ASSESSMENT AND PROPOSED WORK FOR 2021. STAFF REPORT NO. 124
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Council Member Garcia presented staff reports 125; and 124 along with opening the public hearing.

Senior Office Assistant Wynn confirmed there were no callers for the public hearing and reviewed how residents can call 612-861-0651 to participate live during public hearings.

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

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Garcia, S/Whalen to Conduct and close the public hearing and by motion adopt a resolution adopting the assessment on the Lyndale/HUB/Nicollet (LHN) district for costs incurred to maintain the area for 2019.

RESOLUTION NO. 11775

RESOLUTION ADOPTING ASSESSMENT FOR THE LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Garcia, S/Whalen to (1) adopt a resolution adopting the assessment on the ILN Project Area for costs incurred to maintain the area for 2019; and (2). Adopt a resolution ordering the undertaking of the current service project within the ILN Project Area for 2021.

RESOLUTION NO. 11776

RESOLUTION ADOPTING ASSESSMENT ON INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA MAINTENANCE FOR THE PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019

RESOLUTION NO. 11777

RESOLUTION ORDERING THE UNDERTAKING OF CURRENT SERVICE PROJECT WITHIN THE INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2021 TO DECEMBER 31, 2021

Council Member Whalen clarified these items are to maintain public amenities while projects are taking place in these areas.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

Item #6	PUBLIC HEARING AND CONSIDER A RESOLUTION ADOPTING THE ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED FROM JANUARY 1, 2019, THROUGH DECEMBER 31, 2019. STAFF REPORT NO. 123
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Item #7	PUBLIC HEARING REGARDING THE SPECIAL ASSESSMENT ROLL FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR
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	ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY. STAFF REPORT NO. 127
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Item #8	PUBLIC HEARING REGARDING THE SPECIAL ASSESSMENT ROLL FOR UNPAID FALSE ALARM USER FEES AGAINST PRIVATE PROPERTY. STAFF REPORT NO. 128
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Item #9	PUBLIC HEARING REGARDING THE SPECIAL ASSESSMENT ROLL FOR UNPAID VACANT PROPERTY REGISTRATION FEES AGAINST PRIVATE PROPERTY. STAFF REPORT NO. 129
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Item #10	PUBLIC HEARING REGARDING THE ASSESSMENT OF DELINQUENT UTILITY BILLS TO BE CERTIFIED TO PROPERTY TAXES. STAFF REPORT NO. 130
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Council Member Whalen presented staff reports 123; 127; 128; 129; and 130 then opened the public hearing.

Troy Leland, 7000 James Ave S, asked for clarity on property taxes being assessed to resident taxes and how the city will collect payments.

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

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Garcia: AYE

Whalen: AYE

Motion carried 3-0

Director Regis clarified following Council approval, the 30 day prepayment period will begin. This will allow the residents to prepay the assessment before being sent to the county. After assessments go to the county, interest will begin to accumulate. Information on how to pay the amount is on the letter residents received. Residents may also call the city if they have any questions.

M/Whalen, S/Garcia to approve the resolution adopting the assessment for removal of diseased trees from private property for work ordered from January 1, 2019, through December 31, 2019.

RESOLUTION NO. 11778

RESOLUTION ADOPTING ASSESSMENT FOR THE REMOVAL OF DISEASED TREES

FROM PRIVATE PROPERTY FOR WORK ORDERED DURING JANUARY 1, 2019 THROUGH DECEMBER 31, 2019

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Whalen, S/Garcia to approve the resolution adopting the assessment for weed elimination from private property and removal or elimination of public health or safety hazards from private property.

RESOLUTION NO. 11779

RESOLUTION ADOPTING ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Whalen, S/Garcia to approve the resolution adopting the assessment for unpaid false alarm user fees against private property.

RESOLUTION NO. 11780

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Whalen, S/Garcia to approve the resolution adopting the assessment for unpaid vacant property registration fees against private property.

RESOLUTION NO. 11781

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID VACANT PROPERTY

REGISTRATION FEES AGAINST PRIVATE PROPERTY

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Whalen, S/Garcia to approve the resolution authorizing certification of unpaid water, sanitary sewer, storm water, and street light charges to the county auditor to be collected with other taxes on said properties.

RESOLUTION NO. 11782

RESOLUTION AUTHORIZING CERTIFICATION OF UNPAID WATER, SANITARY SEWER, STORM WATER, AND STREET LIGHT CHARGES TO THE COUNTY AUDITOR TO BE COLLECTED WITH OTHER TAXES ON SAID PROPERTIES

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

Item #11	CONDUCT A PUBLIC HEARING TO CONSIDER THE PLATTING AND VACATION OF RIGHT-OF-WAY AND UTILITY EASEMENTS AT 6228 PENN AVENUE SOUTH AND 6200 QUEEN AVENUE SOUTH (LUNDS & BYERLYS). STAFF REPORT NO. 126
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Mayor Regan Gonzalez presented staff report 126 and opened the public hearing. She clarified the item does not include the site plan regarding the tree issue.

M/Regan Gonzalez, S/Garcia to close the public hearing.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

M/Supple, S/Whalen to (1) approve the attached transitory ordinance vacating road and utility easements over property located at 6200 and 6228 Penn Avenue South; and (2) approve the attached resolution granting approval of a final plat of Lunds of Richfield.

RESOLUTION NO. 11783

RESOLUTION GRANTING APPROVAL OF A FINAL PLAT FOR LUNDS OF RICHFIELD

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Garcia: AYE

Whalen: AYE

Motion carried 3-0

Item #12	CONSIDER AN AMENDMENT TO APPROVE FINAL DEVELOPMENT PLANS FOR A MIXED USE DEVELOPMENT AT 101 66TH STREET EAST (66TH STREET AND 1ST AVENUE). THE PROPOSED AMENDMENT REDUCES COMMERCIAL SPACE AND INCREASES THE NUMBER OF APARTMENTS IN THE PROJECT. STAFF REPORT NO. 131
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Council Member Garcia read staff report 131.

Assistant Director Poehlman clarified the proposal will not significantly change the outside of the building but will make the bottom level living units versus commercial space. The change will alter the parking regulations.

Council Member Garcia believes this will be an improvement to the original proposal.

M/Garcia, S/Regan Gonzalez to approve the attached resolution approving an amendment to the conditional use permit and final development plans for 101 66th Street East.

RESOLUTION NO. 11784

RESOLUTION APPROVING AN AMENDED FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AT 101 66TH STREET EAST

Council Member Whalen agreed with Council Member Garcia in that this is an improvement with the addition of more affordable housing units. More housing units will reduce the amount of traffic versus having commercial space. He then asked where the trash and recycling will be located.

Assistant Director Poehlman stated staff will continue to work with the developer to have trash and recycling inside the building.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

Item #13	CONSIDER APPROVAL OF THE CLIMATE ACTION PLAN. STAFF REPORT NO. 132
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Council Member Whalen read staff report 132 and thanked staff and the Sustainability Commission for weighing in on this item and contributing ideas.

Director Markle thanked Sustainability Specialist Lindholm for her knowledge and expertise in guiding the city through this process. The plan has 80 action items to prioritize efforts and will have the ability to be assessed each year. This plan will work toward making the city more sustainable.

Sustainability Specialist Lindholm thanked Council for guidance during the process and being advocates for the plan.

Council Member Whalen reminded residents the plan was discussed in detail in a previous work session. He spoke of how this is a plan for action and the city will be able to see each year how the city is working toward becoming sustainable. There will be more ways for the public to get involved in the future.

M/Whalen, S/Garcia to approve the Climate Action Plan.

Mayor Regan Gonzalez emphasized that this is a living document and will continue to change each year. She then asked if there is a way for the Sustainability Commission to be aware of how many and what questions staff and Council are receiving regarding the CAP.

Director Markle confirmed this can be added to the monthly agenda for the Sustainability Commission.

Mayor Regan Gonzalez spoke of how it would be a great opportunity for residents to get real time information about what is being seen. She expressed her excitement to this plan become action and how it will affect the future work including equity and affordable housing.

Sustainability Specialist Lindholm reminded Council and residents the Sustainability Commission is open for public comment as well.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
Garcia: AYE
Whalen: AYE

Motion carried 3-0

Item #14	CITY MANAGER REPORT
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City Manager Rodriguez commented on the increase in community transmission of COVID and how fatigue is affecting everyone. She stated how important it is for people to stay home if not feeling well and to wash hands frequently as the cold and flu season is approaching quickly.

Council Member Garcia expressed appreciation to residents for their patience while waiting to enter city hall to conduct business. Residents and staff are taking protocol very seriously and everyone is following instructions to keep everyone as safe as possible.

Item #15	CLAIMS AND PAYROLL
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M/Garcia, S/Whalen that the following claims and payrolls be approved:

U.S. Bank	10/13/2020
A/P Checks 291133 - 291566	\$ 2,070,912.99
Payroll: 157167 - 157467	<u>660,974.45</u>
TOTAL	\$ 2,731,887.44

Executive Analyst Martinez Gavina took roll call vote:

- Regan Gonzalez: AYE
- Garcia: AYE
- Whalen: AYE

Motion carried 3-0

Item #16	HATS OFF TO HOMETOWN HITS
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Council Member Garcia spoke of the importance of voting and crucial it is to partake. City hall is open for absentee voting and asked residents to please wear a mask and follow protocol. She then spoke of an event on October 24 from 10-2 where the Richfield Police Department will be open for a drive through prescription drop off and encouraged residents to properly dispose of those medications. She then thanked RPD for offering this service for the community.

Council Member Whalen also emphasized the importance of voting. He then spoke of the virtual event for Building Dignity and Respect Standards Council that is a new partnership of a number of groups that work directly with city construction workers. The city continues to work toward fair treatment at a local level. He also reminded citizens of the WaterSmart portal information that was sent out and what a wonderful program where residents can track their water usage along with other tips and tricks.

Mayor Regan Gonzalez thanked everyone who was able to attend and celebrate the exceptional event honoring Council Member Garcia.

Council Member Garcia commended staff for their support and efforts in planning the event. She commented on the loyalty she feels from the community as it is has truly good and decent people living in this city and. She spoke of her past office experience how grateful she is to have served Richfield.

Mayor Regan Gonzalez thanked Council Member Garcia for her leadership and how she will continue to lead in the community as she is a true public servant. She spoke of how she will continue to inspire others and she has done so many times in the past.

Mayor Regan Gonzalez reminded residents that recordings are available on the city website regarding City Council candidate forums. She also spoke of the three open positions on the Charter Commission. The term is four years and information can be found on the city website of how to apply. Lastly, she reminded residents to apply for the small business forgivable loans if they are in need.


Item #17	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:21 p.m.


Date Approved: October 27, 2020



 Maria Regan Gonzalez
 Mayor



 Kelly Wynn
 Senior Office Assistant



 Katie Rodriguez
 City Manager