



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## City Council Work Session

November 24, 2020

**CALL TO ORDER**

The meeting was called to order by Mayor Regan Gonzalez at 5:45 p.m. virtually via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Ben Whalen; Mary Supple; Edwina Garcia; and Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Amy Markle, Recreation Services Director; Jay Henthorne, Public Safety Director; Jennifer Anderson, Health Administrator; John Stark, Community Development Director; Melissa Poehlman, Assistant Community Development Director; Pam Dmytrenko, Assistant City Manager; Mike Dobesh, Assistant Fire Chief; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Senior Office Assistant.

HRA Present: Erin Vrieze Daniels; Pat Elliot; and Sue Sandahl

Planning Commission Present: Brett Stursa; Kathryn Quam; Peter Lavin; Sean Hayford Oleary; Susan Rosenberg;

Others Present: Glen McCluskey, Co-Counsel Post 435 Attorney; Peter Coyle, Co-Counsel Post 435 Attorney; Diane Miller, Post 435 Controller; Adam Seamans, Post 435 Commander; Nick Kelley, PhD, City of Bloomington Acting Public Health Administrator

Item #1	<b>DISCUSS A PLANNING STUDY THAT WOULD EXAMINE LAND USE REGULATIONS APPLICABLE TO PROPERTIES ALONG PORTLAND AVENUE AND 66TH STREET IN THE AREA SURROUNDING VETERAN'S PARK.</b>
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City Manager Rodriguez introduced the item along with city's recommendation of a nine month moratorium to develop a plan for the land where the American Legion is placed since it is such an important location. The city will be looking at the feasibility of possibly purchasing the land or partnering with a developer to include community space.

Commander Seamans gave a history of the American Legion Post 435 since its inauguration in 1957. He spoke of working with the city to keep Post 435 in Richfield, along with its 1,000 members. He described the steps the Post has taken since the beginning of 2019 to improve the stability and financials including a legal team and full time Controller. The Post realizes the most valuable asset is the land and building they own. The Post will need to sell these assets to generate the revenue needed to move forward. The funds will be used to ensure all Post bills are paid, retiring old debt and securing the future of the Post and its members. The Post would like to continue to have a physical presence on the property even after sale and would like to continue to work with the city to make this happen. The Post knows this will be a lengthy process but are dedicated to continue to

serve its members along with the community. The Post is opposed to any kind of moratorium as it will hinder the sale of the property.

Commissioner Hayford Oleary asked for clarification as he thought the Post would sell the current property and move to another location but some of the language stated tonight states the Post would like to stay on the current property in some capacity.

Commander Seamans stated the Post would like to stay at the current location in some capacity and the team would work with either the city or new developer to develop what that would look like.

Commissioner Elliot asked Commander Seamans when the city first contacted him about the desire of placing a moratorium on the property.

Commander Seamans stated that today was the first time he had heard of the moratorium.

Glen McClusky confirmed that today was the first time the legal team had heard of the idea of a moratorium and why.

Commissioner Elliot then asked how many conversations have been had between the Post and the city up to today's date.

Glen McClusky stated he has had two meetings but others may have had more.

Commissioner Elliot explained the first notice of the moratorium he received was a few days ago when he received the agenda. It included a plan for a six month moratorium which has now been suggested for nine months. He expressed concern for the position of the Post and the sale of their property.

Glen McClusky confirmed a moratorium of any kind would put the Post in a poor position and it is something they would not like to see happen.

Peter Coyle stated the concern as it will slow down any kind of process and will most likely will cause the Post to lose all of 2021 before anything were to happen.

Commissioner Elliot asked city staff why the members of the Post where not notified until today of the possibility of a moratorium.

Mayor Regan Gonzalez stated staff does have a presentation and would like to allow them to present and answer questions.

Director Stark explained the Post approached the city around April this year about the possibility of selling its property. The city then referred to its Comprehensive Plan which was adopted in 2018 and shows this land as multi-family housing. This was discussed with the Post as the property was desired by both policy makers and residents to become multi-family housing. Director Stark further explained that community members expressed their desire for community space. The city would like to see the overlap of multi-family housing, community space and space of the Post. He then gave some examples of concerns regarding visibility and wildlife. Staff has had multiple conversations with the Post to 'pause' their process so the city can develop a better and more inclusive plan for the property. The reason for the moratorium would be to develop standards for what could be developed on the property.

Mayor Regan Gonzalez asked for clarification as to what is up for discussion tonight is that of the moratorium itself and not the actual small area plan specifics.

Director Stark confirmed.

Council Member Supple expressed the importance of supplying public amenities whether it is a community center or something else but would like to look at the financial options to explore this once in a lifetime opportunity.

Commissioner Hayford Oleary supported the moratorium but would like to see it is as short as possible so as to not continue to hinder the Post and the sale of the property. He also echoed Council Member Supple's comments of supplying some sort of public amenities.

City Manager Rodriguez explained the need to bring the financials to the Council if the purchase of the land is feasible. This can be a lengthy and in-depth process so there is concern with getting it done in six months. The process would also include public engagement.

Director Stark added the public engagement piece is more difficult due to the pandemic and will also take more time to conduct. He also spoke to the language of the moratorium where it can be lifted early or modified at the Council's discretion.

Commissioner Elliot believes the moratorium is very one sided to the city and not the survival of the Post. He would like to see more consideration for the Post as a huge asset to the community and putting a six or nine month moratorium could very easily turn into twelve or eighteen months and would put another hindrance on the Post.

Commissioner Lavin wondered why serious discussions had been taking place sooner as the Post building has been dark for months.

Commissioner Vrieze Daniels asked for clarification on what the moratorium prevents the Post from doing with the property.

Assistant Director Poehlman explained the moratorium prevents the request for permits. The property could be listed and sell but realistically, no one would buy until the moratorium is lifted due to uncertainty of building specifics.

Commissioner Sandahl supported Council Member Supple's comments as this is a once in a lifetime opportunity and if the city needs the additional time, it should take the time. She believes residents would be very upset to allow something to go on the property that does not compliment Veteran's Park and the current surrounding amenities.

City Manager Rodriguez clarified the Post needed to go through a process with their members to move forward which took time and needed to happen before staff could bring the idea to Council for discussion.

Commissioner Quam asked if the Post would have a legal relationship to decide what would become of the property if sold to the city.

Commander Seamans specified the Post would partner with the city and/or developers chosen to make sure the needs of the Post are met along with the needs of the city. However, a moratorium would prevent the Post from being nimble enough to make that process happen in that it would take too long.

Commissioner Quam believes if the city is suggesting a \$35,000 study, it must be very important and supports the necessary steps needed to take place.

City Attorney Tietjen explained the moratorium will not prevent the Post from continuing with a planning process or working collaboratively with the city during the planning study. However, it protects the planning process and having to act on any applications that may come forward.

Council Member Trautmann thanked the Post and staff as this is a once in a lifetime opportunity. The city is in a unique place to recognize the value of the Post in the community as well as jointly invest in a chance to make the community better.

Post Controller Diane Miller reminded Council the reason the Post is selling the property is due to the significant financial situation they are in currently. Any moratorium will not pay property taxes or bills and will put even more significant financial burden on the Post. She also reiterated the Post supports not only the 200 Richfield residents that are members but 800 others from the area along with providing community involvement.

Council Member Whalen appreciated hearing from the Post and the urgency for a decision. He believes it is important to explore the first step of this process. He asked if the city would have a decision in January to provide the Post with an answer if the city would be a buyer or partner. He also asked about the potential of having a buyer and plan lined up at the end of the moratorium or if that process would need to start after the moratorium is lifted.

Director Stark stated in an ideal situation, the Post would see where the city is going with some design standards, work with a buyer and develop a plan. However, a moratorium does scare off potential buyers so it may take time after the moratorium is lifted to retain a buyer and/or developer.

Council Member Garcia reiterated this is a once in a life time opportunity and how important it is to retain the image of Veteran’s Park. She believes there needs to be a great amount of community input and there are many options to explore. She also offered some options of possible partnerships the city should explore.

Mayor Regan Gonzalez thanked everyone for their thoughtful comments and discussion on this extremely important topic.

Item #2	<b>RICHFIELD COVID-19 UPDATE FROM JENNIFER ANDERSON, COMMUNITY HEALTH SERVICES ADMINISTRATOR, NICK KELLEY, PHD., CITY OF BLOOMINGTON ACTING PUBLIC HEALTH ADMINISTRATOR AND PUBLIC SAFETY DIRECTOR/EMERGENCY MANAGER JAY HENTHORNE.</b>
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Health Administrator Kelley presented some slides of the current situation in the community regarding COVID. He spoke of the spike in cases due to concentrated areas of multi-family housing and a high number of essential workers. He also spoke of the drastic increase in cases within the BIPOC community, specifically Hispanic. Residents are facing the difficulties of no paid sick leave and still needing to provide for their families.

Council Member Whalen asked what the city should do to help its community. Beyond posting recommendations and guidelines, what should the city do?

Health Administrator Kelley stated continuing to spread the word and stories with the public. Most people will not change their ways unless they themselves are affected by the virus. Keeping pressure on the State and Federal entities to keep paid sick leave and other standards in check will help in altering the current state and help assist residents.

Council Member Trautmann asked if the city can help in other ways to assist in surging resources in in areas of congregate living where the cases are higher.

Health Administrator Kelley stated how daily communications are being tailored and driven to certain areas. People just need to understand how dangerous this virus can be and certain venues are closed for a reason and shouldn’t be replaced with backyard or house gatherings.

Council Member Supple asked if there is a long term plan to facilitate a vaccine when it becomes available.

Health Administrator Kelley stated plans and guidance are actively being made to vaccinate Richfield residents. Currently it will be administered to first responders and medical staff then distributed to high risk populations followed by the general public. Hopefully there will be a better timeline after mid-December.

Mayor Regan Gonzalez asked about the coordination between the local, county and state health departments and maximizing all efforts.

Health Administrator Kelley stated the ability to work hand-in-hand with all entities. They work very closely with county and state providers so as to not overlap efforts and have specifically assigned lanes.

Health Administrator Anderson spoke of one of the biggest challenges the city has faced is the communication to the community but one in which the city is succeeding at more and more every day. She then spoke of local organizations for the Richfield BIPOC residents and how they are helping the community.

Mayor Regan Gonzalez thanked all staff and community partners for their efforts.

**ADJOURNMENT**

The work session was adjourned by unanimous consent at 6:58pm

Date Approved: December 8, 2020

  
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Kelly Wynn  
Senior Office Assistant

  
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Maria Regan Gonzalez  
Mayor

  
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Katie Rodriguez  
City Manager