



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Special City Council Work Session

June 26, 2018

CALL TO ORDER

The work session was called to order by Mayor Pro Tempore Regan Gonzalez at 6:00 p.m. in the Municipal Center.

Council Members Present: Maria Regan Gonzalez, Mayor Pro Tempore; Edwina Garcia; Michael Howard; and Simon Trautmann.

Council Members Absent: Pat Elliott, Mayor

Staff Present: Steven L. Devich, City Manager; Pam Dmytrenko, Assistant City Manager/HR Manager; Jim Topitzhofer, Recreation Services Director; Jay Henthorne, Public Safety Director/Police Chief; Wayne Kewitsch, Fire Chief; Melissa Pohlman, City Planner; Jack Broz, Transportation Engineer; Kari Sinning, Deputy City Clerk; Mike Koob, Deputy Public Safety Director; MaryKaye Champa, Recreation Supervisor; and, Jared Voto, Executive Aide/Analyst.

Item #1	COMMISSIONER RECOGNITION EVENT
----------------	---------------------------------------

Mayor and City Council Members hosted members of the City's Commissions and thanked them for their service.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:58 p.m.

Date Approved: July 10, 2018

Pat Elliott
Mayor

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

June 26, 2018

CALL TO ORDER

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

Council Members Present: Maria Regan Gonzalez, Mayor Pro Tempore; Edwina Garcia; Michael Howard; and Simon Trautmann.

Council Members Absent: Pat Elliott, Mayor.

Staff Present: Steven L. Devich, City Manager; Mary Tietjen, City Attorney; Pam Dmytrenko, Assistant City Manager/HR Manager; Jay Henthorne, Chief of Police; Kristin Asher, Public Works Director; Melissa Poehlman, Planning & Redevelopment Manager/Assistant Community Development Director; Jennifer Anderson, Support Services Manager; Jack Broz, Transportation Engineer; and Jared Voto, Executive Aide/Analyst.

OPEN FORUM

Kris Johnson, 7045 Oak Grove Boulevard, spoke regarding opposition to the Lyndale Avenue Reconstruction project, specifically the removal of trees, four roundabouts in a ten block area, and the ability to cross Lyndale Avenue.

Larry Koch, 471 Big Horn Drive, Chanhassen, representing Nola Wagner, spoke regarding the opposition to Lyndale Avenue Reconstruction project and specifically the intersection at Lyndale Avenue and 70th Street. He submitted his comments for Council's consideration.

Carol Anderson, 7052 Oak Grove Boulevard, spoke regarding the intersection of 70th Street and Lyndale Avenue and the proposed roundabout. She stated she is not against roundabouts and asked to keep the traffic light at 70th Street.

Dave Huss, 7028 Oak Grove Boulevard, spoke regarding the proposed roundabout at 70th Street and Lyndale Avenue and stated he could not imagine a safer environment for pedestrian and bikers than with a light at the intersection.

Jackie Hayes, 7024 Oak Grove Boulevard, spoke regarding the Lyndale Avenue Reconstruction project and stated she attended all of the open houses and discussed the ways to make it safest for 70th Street and Lyndale Avenue. She strongly recommended keeping a light at the intersection and requested the process of Council approval be changed in the future.

Kevin Kateley, 7005 Oak Grove Boulevard, spoke regarding the Lyndale Avenue Reconstruction project and specifically the process of the Transportation Commission and their feedback and disagreed with the proposed alignment of Oak Grove Boulevard to Lyndale Avenue. He also commented that he believed the process should be changed.

Public Works Director Asher commented on the approach of reconstruction project is a community-based design. She stated the goals of the project were to make it safer for everyone, pedestrians, bicyclists and vehicles. She discussed the process moving forward and stated a meeting was scheduled with the residents of Oak Grove, but it was postponed and she hoped to still have a meeting with the neighbors.

Mayor Pro Tempore Regan Gonzalez thanked the residents and stated she hoped the residents meet with staff and asked that the Council be invited to the meeting as well.

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Regan Gonzalez led the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Howard, S/Garcia to approve the minutes of the: (1) Special City Council work session of June 12, 2018; and (2) Regular City Council meeting of June 12, 2018.

Motion carried 4-0.

Item #1	SWEARING-IN OF CITY OF RICHFIELD POLICE OFFICERS MACABE STARIHA, HAILEY QUANBECK, CHRISTOPHER BARBER, AND MATTHEW HOTZLER.
----------------	---

Chief Henthorne welcomed staff, residents, and guests. He thanked the family members of the officer in attendance and swore-in Officers Macabe Stariha, Hailey Quanbeck, Christopher Barber, and Matthew Hotzler.

Mayor Pro Tempore Regan Gonzalez thanked the officers and their families.

Council Member Garcia acknowledged the officers and their families stated the Council's support of the police officers.

Council Member Trautmann welcomed the officers and stated he was proud of them.

Item #2	COUNCIL DISCUSSION <ul style="list-style-type: none"> Hats Off to Hometown Hits
----------------	---

Council Member Garcia spoke regarding attending the dementia luncheon last week hosted by the Richfield Advisory Board of Health and Bloomington Health Department. She also discussed the

Commissioner Recognition Event earlier in the evening and stated her appreciation of the work of the commissioners.

Council Member Trautmann spoke regarding June being Pride Month and wanted to take the opportunity to state that it is part of the values of the city. He also stated he’s recently been able to meet with a lot of the leaders in the city and wanted to thank them for all of their work.

Council Member Howard spoke regarding the upcoming 4th of July activities, taking place July 2-4, and mentioned the Commissioner Recognition Event and thanked the commissioners for their service to the city.

Mayor Pro Tempore Regan Gonzalez spoke regarding the dementia friendly kick-off event and discussed the free lunch program available at our local parks for children 18 years old and younger.

Item #3	APPROVAL OF THE AGENDA
----------------	-------------------------------

City Attorney Tietjen stated that Consent Calendar Item 4.E. needed to be revised from a motion to approve the agreements to a motion to adopt a resolution to approve the agreements.

M/Regan Gonzalez, S/Garcia to approve a revise Item 4.E. of the Consent Calendar to adopt a resolution.

Motion carried 4-0.

M/Regan Gonzalez, S/Garcia to approve the agenda, as revised.

Motion carried 4-0.

Item #4	CONSENT CALENDAR
----------------	-------------------------

City Manager Devich presented the consent calendar.

- A. Consideration of the adoption of a resolution establishing an absentee ballot counting board for the 2018 State Primary and State General Elections. (S.R. No. 106)

RESOLUTION NO. 11510
 RESOLUTION ESTABLISHING AN ABSENTEE BALLOT COUNTING
 BOARD FOR THE 2018 STATE PRIMARY AND STATE GENERAL
 ELECTIONS

This resolution appears as Resolution No. 11510.

- B. Consideration of the approval of eight (8) solar project agreements with iDEAL Energies for the installation of solar panels on city facilities. (S.R. No. 107)
- C. Consideration of the adoption of a resolution approving the submission of the limited use permit with the Minnesota Department of Transportation (MnDOT) for the 66th Street Streetscape elements within MnDOT right-of-way (ROW). (S.R. No. 108)

RESOLUTION NO. 11511

RESOLUTION AUTHORIZING CITY OF RICHFIELD LIMITED USE PERMIT WITH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION FOR A PEDESTRIAN TRAIL IN THE RIGHT- OF-WAY OF TRUNK HIGHWAY No. 35W AT CSAH 53 (66TH STREET)

This resolution appears as Resolution No. 11511.

- D. Consideration of the adoption of a resolution approving an agreement related to the Minnesota Department of Transportation's Landscape Partnership Program. (S.R. No. 109)

RESOLUTION NO. 11512
RESOLUTION APPROVING COOPERATIVE AGREEMENT FOR MNDOT LANDSCAPE PARTNERSHIP PROGRAM

This resolution appears as Resolution No. 11512.

- E. Consideration of the adoption of a resolution approving the revised Richfield Parkway Infrastructure Construction Agreement and the Maintenance Parcel Agreement between the City of Richfield and Chamberlain Apartments, LLC. (S.R. No. 110)

RESOLUTION NO. 11517
APPROVING REVISED RICHFIELD PARKWAY INFRASTRUCTURE CONSTRUCTION AGREEMENT AND MAINTENANCE PARCEL AGREEMENT BETWEEN THE CITY OF RICHFIELD AND CHAMBERLAIN APARTMENTS LLC

This resolution appears as Resolution No. 11517.

M/Regan Gonzalez, S/Howard to approve the consent calendar.

Motion carried 4-0.

Table with 2 columns: Item #5, CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR

None.

Table with 2 columns: Item #6, CONSIDERATION OF A VARIETY OF LAND USE APPROVALS RELATED TO A PROPOSAL FOR A MIXED USE DEVELOPMENT AT 101 66TH STREET EAST (66TH STREET AND 1ST AVENUE).

Council Member Garcia presented Staff Report No. 111.

Assistant Community Development Director Poehlman provided additional information related to the comprehensive plan process, the history of the site, and the proposed project. She stated the project meets the objectives of the comprehensive plan amendment and the developer has made a number of modifications to address concerns of the adjacent property owners.

Council Member Garcia stated that although this was not a public hearing and the Council has agreed to allow the developer and a representative of the neighborhood for speak.

Paul Lynch, PLH Associates, stated the project has been worked on for two years and has been a mixed-use development from the beginning and hoped it was a project that could be embraced by the community. He was available to answer any questions on the project.

Council Member Garcia asked about the desire of the developer to place a restaurant in 2,000 square feet of the commercial space.

Mr. Lynch said that no tenants are secured at this time, but if a tenant did come forward he would support it.

Council Member Garcia stated she would like to support the project but did not believe a restaurant would work in the space.

Council Member Trautmann stated and he no longer has concerns about the financing of the project. He stated he was also concerned about a fast food restaurant in this space and asked staff if this is something that can be restricted.

Assistant Community Development Director Poehlman stated there is nothing in the ordinance that can restrict fast food chains and explained restaurant designations by class.

Council Member Howard asked about how convenience stores are treated based on the ordinance.

Assistant Community Development Director Poehlman responded that convenience stores are defined by code and could be identified as prohibited in this location or can be something that is added. She stated the resolution could be amended to add convenience stores since it is defined.

Council Member Howard stated he would be interested in adding that stipulation to prohibit convenience stores.

Council Member Trautmann asked for the definition of a convenience store.

Assistant Community Development Director Poehlman stated she could find and share the definition.

Council Member Howard thanked Mr. Lynch for the letter and appealed to him to continue working with the neighborhood. Council Member Howard and Mr. Lynch discussed the possibility of placing a fence between the project and adjacent property and Mr. Lynch stated he would continue to work with neighbors.

Assistant Community Development Director Poehlman read the definition of a convenience store.

Council Member Howard asked staff about excluding convenience stores as a use.

Assistant Community Development Director Poehlman responded Council could amend the resolution adding a stipulation that prohibits convenience stores.

Julie Lapensky, 6621 Stevens Ave, spoke on behalf of the neighborhood and thanked the Council for the opportunity to speak and for visiting the neighborhood. She stated she understands the benefits of the development to the City and to the developer, but that the neighborhood does not want it. She stated the issues as traffic, parking issues, and screening to neighbors immediately adjacent. She provided detail of solutions that the neighborhood is requesting and provided her written comments and documents for Council's consideration.

Council Member Garcia stated she had been meeting with the neighbors and stated a convenience store or restaurant would bring so much traffic that it would disrupt the neighborhood and stated she would entertain Council Member Howard's stipulation. She also discussed the parking and belief that there will be spillover parking and the need for employee parking due to the commercial space. She discussed the landscaping buffering and the modifications that have been made and stated the City needs to be vigilant in ensuring stipulations are adhered to. She stated she would be casting a "no" vote.

Council Member Howard stated globally he is supportive of the project and it adds value to the community. He stated this project represents progress in the city and represents progress on 66th Street and creates a vision for the future of the corridor. He also discussed this project will expand the tax base and give some relief to single-family homeowners and this project expanding the available housing in Richfield. He stated he appreciated the work of the neighborhood and the changes that have been made by the developer throughout the process. He stated he was inclined to support a stipulation barring convenience stores in the development. He commented on the approach to monitoring parking and traffic and asked to put a definition to what triggers a response from the City.

Council Member Trautmann appreciated the neighborhood's commitment and stated that he would be supporting the project. He stated he doesn't take it lightly that this could be uncomfortable. He is reminded that there was a time when the Richfield City Council did not want development and single-family homes will not sustain us. He also commented on the placement of the building away from the single-family residences and abutting 66th Street. He stated he was on the fence regarding a stipulation barring convenience stores.

Mayor Pro Tempore Regan Gonzalez asked about what accountability looked like with the developer working with adjacent neighbors as the process moves forward.

Assistant Community Development Director responded there are specific stipulations in the resolution that require the developer to work with adjacent property owners and read specific stipulations.

Mayor Pro Tempore Regan Gonzalez asked for clarification and timeline with regard to traffic counts or studies.

Assistant Community Development Director responded there are stipulations regarding the Public Works Department monitoring traffic counts and patterns following the completion of the development. There is not a timeline because the timeline for the completion of the development is not known, and will be waiting for the 66th Street Reconstruction project to finish. She stated there is a general threshold of 1,000 cars per day along a major arterial; however, the street has a particularly low traffic count now, so that threshold will likely be lower than 1,000 cars per day. She stated the Public Works Department is committed to monitoring the patterns.

Council Member Trautmann stated that without a specific number, if the neighbors are not happy, the City will need to do something about it.

Mayor Pro Tempore Regan Gonzalez asked for clarification on a class 3 restaurant designation and sales of liquor.

Assistant Community Development Director read the definitions of the permitted and non-permitted restaurants for the area.

Mayor Pro Tempore Regan Gonzalez stated Richfield is not in a position to determine if we can accept redevelopment or not. She stated the city has limited opportunities for redevelopment and broaden our tax base. She stated she thinks of her role as a council member is not to say yes or no to

change, but to working together to influence what the change looks like and how it benefits the community as a whole and impact our neighbors. She stated she would be supporting the development and thanked the community members for all the work they have done.

M/Howard, S/Regan Gonzalez to include a stipulation prohibiting convenience stores in the resolution.

Motion carried 3-1. Council Member Trautmann opposed.

M/Regan Gonzalez, S/Howard to approve a second reading of an ordinance rezoning 101 66th Street East from Single-family Residential (R) to Planned Mixed Use (PMU); and adopt a resolution granting a conditional use permit and final development plan for a planned unit development at 101 66th Street East.

RESOLUTION NO. 11513
RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT
TO BE BUILT AT 101 66TH STREET EAST

Motion carried 3-1. Council Member Garcia opposed. This resolution appears as Resolution No. 11513.

Item #7	CONSIDERATION OF A VARIETY OF LAND USE REQUESTS RELATED TO A PROPOSAL TO CONSTRUCT CONDOMINIUMS, TOWNHOMES, AND APARTMENTS ON THE NORTHERN PORTION OF THE FORMER LYNDALE GARDEN CENTER PROPERTY AND AN ADJACENT SINGLE-FAMILY PROPERTY.
----------------	--

Mayor Pro Tempore Regan Gonzalez presented Staff Report No. 112.

Council Member Garcia commented that she believed the developers did a good job of holding open houses, receiving comments, and responding to the comments, and commended the developer for their work.

Council Member Howard stated he was excited to see the project moving forwarded and read a portion of the staff report about diversifying Richfield’s housing options and improving Lyndale Avenue as a gateway to the community, and fits with the vision of where Richfield is headed.

M/Regan Gonzalez, S/Howard to adopt a resolution that amends the Richfield Comprehensive Plan to designate Lots 1-2, Block 1, Lyndale Gardens Addition and 6328 Aldrich Avenue as Mixed Use and allow a housing development that is less than 50 dwelling units per acre

RESOLUTION NO. 11514
RESOLUTION AMENDING THE CITY’S COMPREHENSIVE PLAN
CHANGING THE DESIGNATION OF 6328 ALDRICH AVENUE TO
“MIXED USE” AND ALLOWING A DENSITY LOWER THAN 50 UNITS
PER ACRE

Motion carried 4-0. This resolution appears as Resolution No. 11514.

M/Garcia, S/Trautmann to approve a second reading of an ordinance that amends Richfield Zoning Code Appendix I to designate 6328 Aldrich Avenue as Planned Mixed Use

Motion carried 4-0.

M/Regan Gonzalez, S/Howard to adopt a resolution approving a Conditional Use Permit and Final Development Plans for a Planned Unit Development on Lots 1 and 2, Block 1, Lyndale Gardens 2nd Addition.

RESOLUTION NO. 11515
RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT

Motion carried 4-0. This resolution appears as Resolution No. 11515.

Item #8	CONSIDERATION OF THE ADOPTION OF A RESOLUTION OF DENIAL FOR A THERAPEUTIC MASSAGE ENTERPRISE LICENCE FOR LONGSHI, INC.
----------------	---

Council Member Howard presented Staff Report No. 113.

Support Services Manager Anderson provided additional details on the staff report.

City Attorney Tietjen stated the applicant was notified in writing of the meeting, although he is not present.

M/Howard, S/Trautmann to adopt a resolution of denial of the therapeutic massage enterprise license application of Longshi, Inc.

RESOLUTION NO. 11516
RESOLUTION OF DENIAL OF THE THERAPEUTIC MASSAGE
ENTERPRISE LICENSE APPLICATION OF LONGSHI INC.

Motion carried 4-0. This resolution appears as Resolution No. 11516.

Item #9	CITY MANAGER’S REPORT
----------------	------------------------------

City Manager Devich stated he had nothing to report.

Item #10	CLAIMS AND PAYROLLS
-----------------	----------------------------

M/Garcia, S/Regan Gonzalez that the following claims and payrolls be approved:

U.S. Bank	06/26/18
A/P Checks: 268844 - 269252	\$ 3,090,743.68
Payroll: 137052 - 137415	659,991.49
TOTAL	<u>\$ 3,750,735.17</u>

Motion carried 4-0.

OPEN FORUM

None.

Item #11	ADJOURNMENT
-----------------	--------------------

The meeting was adjourned by unanimous consent at 8:43 p.m.

Date Approved: July 10, 2018

Pat Elliott
Mayor

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager