



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

August 13, 2019

## CALL TO ORDER

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

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

*Staff Present:* Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; John Stark, Community Development Director; Melissa Poehlman, Planning & Redevelopment Manager/Assistant Community Development Director; and Kari Sinning, Deputy City Clerk.

## OPEN FORUM

Ronald Bergland spoke about the safety of the roundabout at 66<sup>th</sup> and Lyndale.

## PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance.

## APPROVAL OF MINUTES

M/Garcia, S/Whalen to approve the minutes of the: (1) City Council Work Session of July 23, 2019; (2) Regular City Council meeting of July 23, 2019; and (3) City Council Work Session of July 30, 2019.

Motion carried 5-0.

Item #1	<b>PRESENTATION ON RICHFIELD HEALTH RESOURCE CENTER</b>
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Council Member Supple introduced Christina Gonzalez and Bridge Mckye from the Richfield Health Resource Center.

Christina Gonzalez and Bridge Mckye gave a presentation of the services and resources that the Richfield Health Resource Center provides.

Council Member Garcia asked about the donations and partnerships that they have. Christina Gonzalez shared that they are fully funded.

Council Member Whalen asked how many staff are available of which the presenters stated that it varies upon the day.

Council Member Supple thanked them for their presentation and appreciated that as a middle school teacher she can provide the students and parents with this resource.

Mayor Regan Gonzalez asked if there are any trends or issues of concern and if there are any goals on how to support this resource. Christina Gonzalez shared that this is the newest center and it is the most utilized. She also stated that adults can use the resource as well and the promotion of the center to those that aren't in the public school system. Mayor Regan Gonzalez thanked them for their leadership and that Richfield is very fortunate to have this resource.

<b>Item #2</b>	<p><b>COUNCIL DISCUSSION</b></p> <ul style="list-style-type: none"> <li>Hats Off to Hometown Hits</li> </ul>
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Council Member Trautmann commented on the participation of community during Night to Unite and thanked Bob England who used it as an opportunity to engage with his neighbors on an environmental impact. He also appreciated our Police and Fire Departments for their support of the event.

Council Member Garcia appreciates Night to Unite which is the best opportunity to hear from the community in a comfortable setting and that the City Manager and Chief of Police participated in the event. She also reminded residents to patronize the farmer's market.

Council Member Supple also extended a thank you to those that involved in Night to Unite. She stated that the most spoken about issue during Night to Unite was stopping for pedestrians in the crosswalks. She also shared that the water meter replacement was very easy and gave kudos to the Public Works Department.

Council Member Whalen said "ditto" to all that was stated about Night to Unite. He promoted the joint Richfield Public Schools and City calendar. He shared that the Back to School Event will be held at the Bandshell on August 15, the Experience Adventure event at Taft Park on August 17 and 18, and a block party at House of Prayer from 3-6 pm on August 25.

Mayor Regan Gonzalez thanked Ronald Bergland for speaking about the roundabouts and would really like to prioritize an educational awareness for pedestrians, bicyclists and motorists alike. Mayor Regan Gonzalez promoted the Partnership Academy ribbon cutting will occur on August 23. Mayor Regan Gonzalez really appreciated Night to Unite and building community relationships to help protect one another, learn about each other, and reduce the fear of the unknown.

<b>Item #3</b>	<b>APPROVAL OF THE AGENDA</b>
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M/Trautmann, S/Supple to approve the agenda.

Motion carried 5-0.

<b>Item #4</b>	<b>CONSENT CALENDAR</b>
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City Manager Rodriguez presented the consent calendar.

- A. Consideration of the reappointment, the firm of BerganKDV as the City's auditor for the financial reporting fiscal years 2019 and 2020, and to authorize the City Manager and Mayor to execute an agreement for such services. (Staff Report No. 93)
- B. Consideration of the adoption of a resolution authorizing the purchase of three temporary construction easements and three permanent right-of-way easements at 6600 Lyndale Ave S, 6701 Lyndale Ave S and 6801 Lyndale Ave S as related to the Lyndale Ave Reconstruction Project. (Staff Report No. 94)

RESOLUTION NO. 11639  
 AUTHORIZING THE CITY OF RICHFIELD TO MAKE PAYMENTS FOR THE  
 PURCHASE OF TEMPORARY CONSTRUCTION AND PERMANENT  
 RIGHT-OF-WAY EASEMENTS AT 6600 LYNDALE AVE S.,  
 6701 LYNDALE AVE S. AND 6801 LYNDALE AVE S.  
 AS PART OF THE LYNDALE AVENUE RECONSTRUCTION PROJECT

- C. Consideration of transfer of funds to close out a certain capital project fund. (Staff Report No. 95)
- D. Consideration of the approval of the purchase of a truck chassis from Nuss Truck and Equipment for \$106,953 and dump box/snow fighting equipment from Towmaster, Inc. for \$104,668, totaling \$211,621 plus taxes and licensing in 2020 for use by the Public Works Department. (Staff Report No. 96)

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

Motion carried 5-0.

<b>Item #5</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #6</b>	<b>CONSIDERATION OF THE ADOPTION OF RESOLUTIONS TO APPROVE CONDITIONAL USE PERMITS TO ALLOW SMALL WIRELESS FACILITIES AT MULTIPLE LOCATIONS THROUGHOUT THE CITY. (STAFF REPORT NO. 97)</b>
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Mayor Regan Gonzalez presented Staff Report No. 97.

Assistant Community Development Director Poehlman stated the health impacts of the installations were a major concern at the Planning Commission meeting of July 22. The FCC and Legislature have determined safe levels of radiofrequency emissions for the general public and the City cannot impose more stringent requirements than the federal government. The applicant has provided studies that show they are within the limits given by the FCC.

Mayor Regan Gonzalez allowed for public comment of which Kathleen Balaban spoke about the effects of electromagnetic frequencies.

Council Member Garcia asked about the relationship between the City and the company. Assistant Community Development Director Poehlman stated that the companies apply for these locations and we have a good working relationship with them.

Council Member Trautmann asked City Attorney Mary Tietjen about the State Law that requires cities to comply with 5G and data gaps requests and if more studies prove the health impacts of the facilities in the future would there be resources or tools to help us. City Attorney Mary Tietjen stated that the State gave the users the right to be in the right-of-way which forces Cities to comply with their applications.

Council Member Supple asked about notifications of the new facilities to the neighbors. Assistant Community Development Director Poehlman stated that the facilities placed into residentially zoned areas were notified if they are within 350 feet but commercial and mixed use zoning were not notified because they are already permitted by right. Council Member Supple urged those that received notifications to view tonight's agenda which had a lot of important information on the pattern of dispersal. Assistant Community Development Director Poehlman stated that one home with a tree that is very close to the transmitter will be notified by certified letter so that they will be aware of it.

Council Member Whalen clarified that creating a buffer zone for those with electromagnetic hypersensitivity is not possible; the World Health Organization has not stated it as a medical diagnosis. Council Member Whalen also clarified that there wouldn't be multiple on the same pole or even along the same block. Council Member Whalen asked about the signage that AT&T could provide and spokeswoman from AT&T stated that they have signage that does state about the radiofrequency emissions that are up high for those that may be working on the sites. Council Member Whalen asked if there are any at ground level but the spokeswoman stated that it's more for the crews that will be around the frequencies.

Council Member Garcia thanked staff for their work on the report.

Mayor Regan Gonzalez appreciated the discussion at the Planning Commission public hearing and asked Staff if they did further studies on electromagnetic hypersensitivity of which Assistant Community Development Director Poehlman stated that the two clarifications that Council Member Whalen gave were the further studies. Mayor Regan Gonzalez stated her frustrations that we have to open up our right-of-way to these companies and not knowing the individual health concerns. Mayor Regan Gonzalez urged residents to get involved the legislative process for further studies.

M/Trautmann, S/Garcia to approve the resolutions to approve conditional use permits to allow small wireless facilities at multiple locations throughout the City.

RESOLUTION NO. 11640  
APPROVING A CONDITIONAL USE PERMIT TO  
ALLOW A SMALL WIRELESS FACILITY IN THE  
RIGHT-OF-WAY ADJACENT TO 7444 UPTON AVENUE

RESOLUTION NO. 11641  
APPROVING A CONDITIONAL USE PERMIT TO  
ALLOW A SMALL WIRELESS FACILITY IN THE  
RIGHT-OF-WAY ADJACENT TO 6645 THOMAS AVENUE

RESOLUTION NO. 11642  
APPROVING A CONDITIONAL USE PERMIT TO  
ALLOW A SMALL WIRELESS FACILITY IN THE  
RIGHT-OF-WAY ADJACENT TO 6845 THOMAS AVENUE

RESOLUTION NO. 11643  
APPROVING A CONDITIONAL USE PERMIT TO  
ALLOW A SMALL WIRELESS FACILITY IN THE  
RIGHT-OF-WAY ADJACENT TO 7044 HARRIET AVENUE

RESOLUTION NO. 11644  
APPROVING A CONDITIONAL USE PERMIT TO  
ALLOW A SMALL WIRELESS FACILITY IN THE  
RIGHT-OF-WAY ADJACENT TO 7100 JAMES AVENUE

RESOLUTION NO. 11645  
APPROVING A CONDITIONAL USE PERMIT TO  
ALLOW A SMALL WIRELESS FACILITY IN THE  
RIGHT-OF-WAY ADJACENT TO 7400 NICOLLET AVENUE

Motion carried 5-0.

Item #7	<b>CONSIDERATION OF THE ADOPTION OF A RESOLUTION APPOINTING A REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE RICHFIELD TOURISM PROMOTION BOARD (STAFF REPORT NO. 98)</b>
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Council Member Whalen presented Staff Report No. 98.

City Manager Rodriguez stated the update of the agreement will be brought before the City Council in a work session on September 10.

M/Whalen, S/Supple to adopt the resolution appointing Lisa Rudolph to the Board of Directors of the Richfield Tourism Promotion Board, Inc.

RESOLUTION NO. 11646  
APPOINTING AT-LARGE CITIZEN DIRECTOR TO THE  
BOARD OF DIRECTORS OF THE  
RICHFIELD TOURISM PROMOTION BOARD, INC.

Council Member Garcia looks forward to the work session with the Richfield Tourism and Promotion Board.

Council Member Whalen asked about the process for the recruitment. City Manager Rodriguez gave a brief overview of how other cities have their tourism boards of which she stated that more information will be presented at the September 10 Work Session. Council Member Whalen approves of citizen appointment of Lisa Rudolph as she is the chair of the Community Services Commission and creates the tie between recreation and tourism.

Council Member Trautmann opposes the process but is excited about the outcome; thinks that Lisa Rudolph is great for the board; and looks forward to the discussion on September 10.

Mayor Regan Gonzalez is also looking forward to the Work Session on September 10.

Motion carried 5-0.

<b>Item #8</b>	<b>CITY MANAGER’S REPORT</b>
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City Manager Rodriguez stated that Staff is actively working on greater education including some pop-up events on roundabout education. City Manager Rodriguez extended a thank you the Police Department and to those that helped with Night to Unite especially Jill Mecklenberg who organized all of it and stated that it was an honor to get out and talk with residents.

<b>Item #9</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Garcia, S/Regan Gonzalez that the following claims and payrolls be approved:

<u><b>U.S. Bank</b></u>	<u><b>8/13/19</b></u>
A/P Checks: 279529 - 280045	\$ 3,417,160.06
Payroll: 147331 - 148110	<u>1,430,415.57</u>
<b>TOTAL</b>	<b>\$ 4,847,575.63</b>

Motion carried 5-0.

<b>OPEN FORUM</b>
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None.

<b>Item #10</b>	<b>ADJOURNMENT</b>
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The meeting was adjourned by unanimous consent at 8:08 p.m.

Date Approved: September 10, 2019

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 Maria Regan Gonzalez  
 Mayor

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 Kari Sinning  
 Deputy City Clerk

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 Katie Rodriguez  
 City Manager